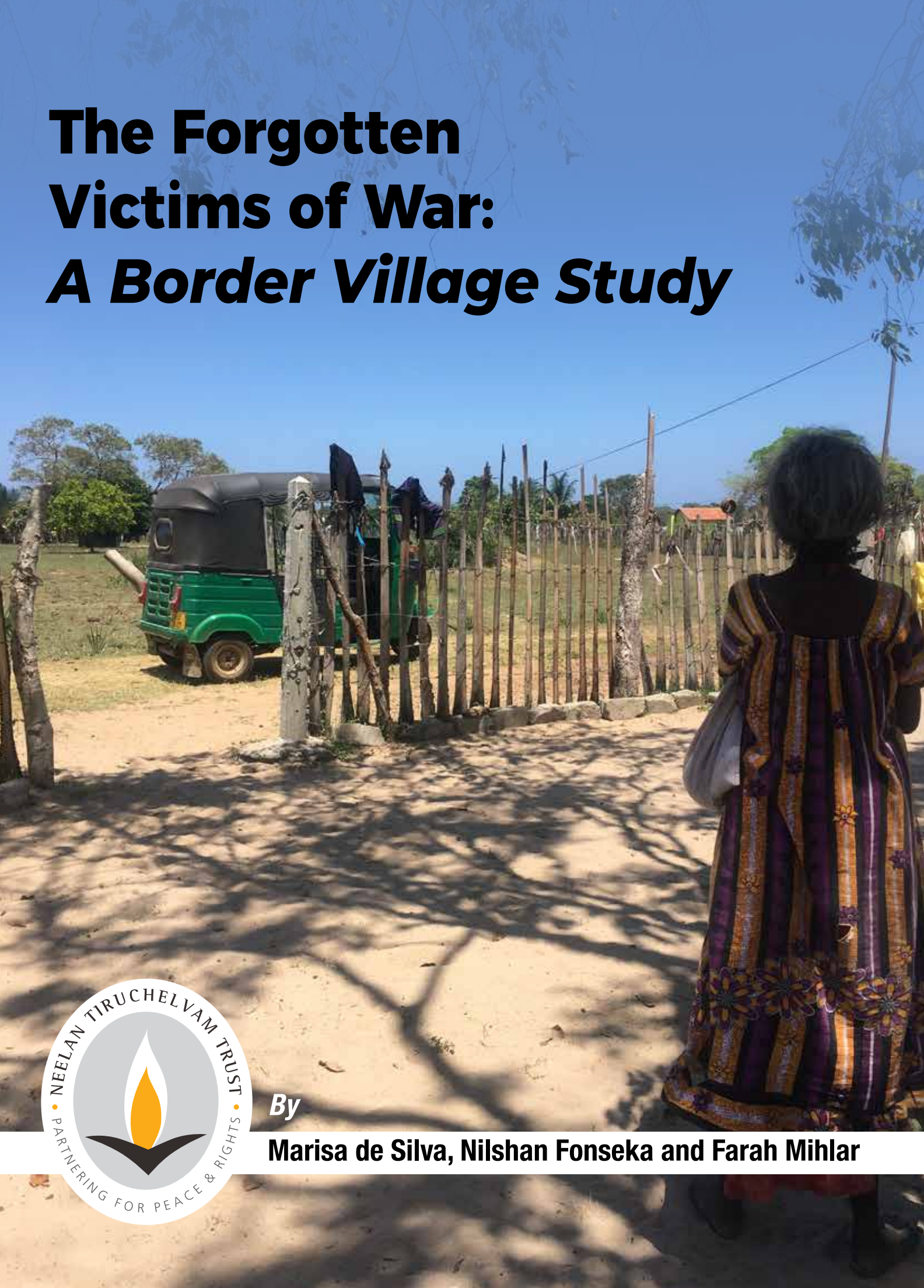


The Forgotten Victims of War: *A Border Village Study*



By

Marisa de Silva, Nilshan Fonseka and Farah Mihlar



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EXECUTIVE SUMMARY

Ten years after the end of Sri Lanka's civil war, all ethnic communities living in the border areas of the conflict zone appreciate having a level of security. However, they do not consider the country to be at peace; ethnic/religious divides remain damagingly strong and people feel utter despair over continuing economic difficulties and political failures. National minorities, Tamils and Muslims, feel discriminated against and oppressed by the state and targeted by Sinhala Buddhist nationalist politics. Sinhalese feel the state has neglected them while unfairly benefitting minorities. The feelings of marginalisation and neglect experienced by all groups are at times expressed as anger towards the ethnic/religious 'other' which exacerbates tensions and divisions.

All these communities suffered intensely through the civil war. Because of the specific geography and demography of the 'border villages', violations were severe; targeted at civilians and few were spared. Even if the violations took place decades ago, memories are vivid, emotions are strong and as the interviews made clear, not dealing with the grief has not taken it away.

Transitional justice, both conceptually and as a process initiated by the government and international donors, means nothing to most people but claims for justice are strong among Tamils, less so among Muslims, and least among Sinhalese. The Sinhalese believe that the destruction of the Liberation Tigers of Tamil Eelam (LTTE) was a form of justice, which in itself underscores the need for post-war justice for other communities. Many felt peace is unachievable without justice. The strongest appeal from all three communities is in relation to their everyday survival; income generation, livelihood and development of their villages, which they see as a priority. Justice means different things to different people and is not disassociated from these everyday needs.

There are specific issues that affect this area that have not made it onto the national agenda, yet need to be urgently dealt with. These include: drought affected farming; high levels of debt; unemployment; kidney disease; elephant-human conflict and early marriage. Land related problems cut across all communities.

Whilst this research explores issues and aspirations of a very specific demographic group in a unique geographical area, there are nevertheless a number of larger conclusions of relevance to Sri Lanka as a whole that can be drawn from here. These include:

- Despite the end of the war, ethnic and religious divides remain strong and insufficiently resolved in some areas and contexts, with the potential to develop into small scale conflicts or fuel existing national conflicts.
- Peace building and reconciliation is not occurring in an organised and structured manner at the local level, though some communities are working on co-existence.
- Media and social media are playing a damaging role in strengthening divisions.
- Co-existence by default (because of the specific geography and demography) has resulted in some level of empathy for the ethnic/religious 'other', and a framing of difference as political rather than communal (by blaming the LTTE and politicians rather than Tamils and Sinhalese).
- Distrust of Muslims is strong amongst both other ethnic groups, though there is some

recognition of Muslims having helped each group during the conflict.

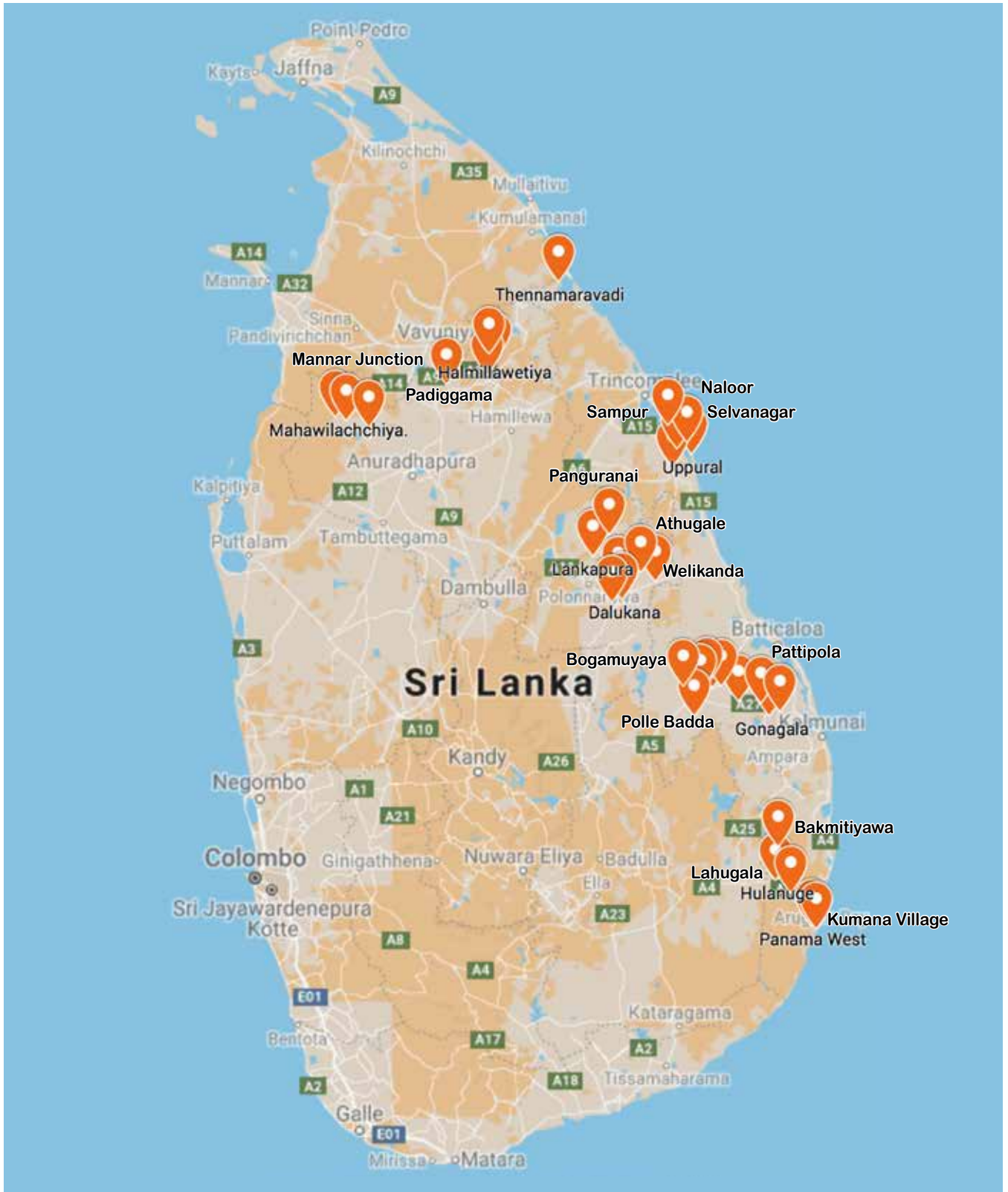
- The feeling of discrimination and neglect over 'everyday issues', which the government could more easily respond to, manifests in anger for the ethnic/religious other, and is deepening ethnic/religious fissures.

Despite the geographic limitations of this study, it offers important new insights into the future of post-war reform in Sri Lanka. Primarily, it challenges dominant narratives: the role of perpetrators (whether Sri Lankan military or LTTE) in the armed conflict; the Sinhala and Tamil nationalist positions of victimhood in the conflict, and the relationship between peace and justice and the role of the state in the conflict and its aftermath. Secondly, the findings on the understanding and perceptions of the ethnic/religious other offer critical opportunities for peace building and reconciliation.

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MAP OF BORDER VILLAGES



01 INTRODUCTION

The Sri Lankan civil war has frequently been characterised by binaries: north versus south or Tamils versus Sinhalese, limiting and skewing a fuller understanding of the conflict. One of the consequences of this has been an inability to capture the effects of the conflict on all ethnic and religious groups, which are in many ways different yet also similar in aspects of victimhood and suffering. A second has been the bi-polar analyses of what constitutes the conflict affected areas.

This report in part attempts to challenge some of these positions by researching the situation of a significant number of villages dotted across the long 'border' separating the north and east; the traditional homeland of Tamils and Muslims, which the Liberation Tigers of Tamil Eelam (LTTE) demarcated for a separate state, (see map on page seven for details). This border, for example in some areas such as in Vavuniya, was clear and controlled by LTTE and military stations on their respective sides. Across most other parts, particularly towards the east, it was often unclear, fluid and shifting where Tamil militant-controlled territory ended and Sri Lankan military-controlled territory began. Along this abstract 'border,' villages constituted of people from all the three largest ethnic groups and indigenous people (see tables 1.1 and 1.2 for district population breakdown).¹ There were also religious minorities such as Christians, of Sinhalese and Tamil ethnicity, spread across these villages. The villages themselves were in most cases ethnically homogeneous with their own classification of a boundary, but they often existed side-by-side with a village composed of the religious/ethnic other. Those interviewed for this research often identified their village with their ethnic group and explained that another group lived in the neighbouring village. The references to a 'border' and to 'border villages' will be used in this report only so far as to capture the geographical, demographic and territorial dimension of the target group being researched here. It is done with acknowledgement of the problematic nature of the term, and the stigma associated with it amongst people living in the area, who see it as derogatory.

Table 1.1 Ethnic breakdown of population by district in 2012 Census

District	Sinhala	Tamil	Sri Lanka Moor	Other
Anuradhapura	91	0.6	8.3	0.2
Polonnaruwa	90.7	1.8	7.4	0.1
Mullaitivu	9.7	88.2	2.0	0.1
Batticaloa	1.3	72.7	25.4	0.6
Trincomalee	26.7	31.1	41.8	0.4
Ampara	38.9	17.4	43.4	0.3

¹ Border villages in this report refers to villages that are situation in a) the border of the northern and eastern provinces; b) the 'border' between LTTE and military controlled areas and c) the villages on the outskirts of the conflict zone, which were vulnerable to attack by warring factions.

Table 1.2 Religious breakdown of population by district in 2012 Census

District	Buddhist	Hindu	Islam	Roman Catholic	Other
Anuradhapura	90.1	0.4	8.3		1.2
Polonnaruwa	89.7	1.7	7.5		1.
Mullaitivu	8.9	75.3	2.0	9.8	4.0
Batticaloa	1.2	64.4	25.5		9.0
Trincomalee	26.2	25.9	42.0		5.9
Ampara	38.7	15.8	43.4		2.0

This unique geographic and demographic context had, and continues to have, specific implications for people living in the border areas and also presents different and important challenges to Sri Lanka's struggling post-war reforms.² A decade since the end of the armed conflict and despite government guarantees of post-war justice, constitutional reform, reconciliation and good governance, all post-war reforms have become stalled by a lack of political will and failed leadership. The fairly advanced constitutional reform process has been held ransom to nationalistic politics and divisions between the President, Prime Minister and their respective sections of the coalition. Apart from the Office of Missing Persons and an Office of Reparations, the other transitional justice mechanisms such as those proposed for truth seeking and accountability have not been set up.³ The early momentum on reconciliation and peace building which was spearheaded by international donors and civil society has also slowed, and the gulf between public needs and political responses widens. Even though the country survived a Constitutional Coup triggered by the President sacking the Prime Minister and his government and attempting to reinstate the previous head of state as Prime Minister in October 2018, dysfunction within the coalition government and political instability remain.⁴ In the aftermath of the war the Sinhala, Buddhist nationalism and triumphalism associated with the defeat of the LTTE evolved into religious violence and hate campaigns targeting Muslim and evangelical Christians across the country.⁵ In this debilitating climate the shocking Easter Sunday attacks and the subsequent violence

2 Post-war reforms refer to the original commitments made by the government to the United Nations Human Rights Council (A/HRC/30/1) regarding transitional justice. The constitutional reform process started by the government in 2015, following several rounds of negotiation, resulted in an interim report by the Steering Committee of the Constituent Assembly (the parliament), but there has been very limited progress since then; and good governance measures originally set out by the coalition government which was the platform on which it came into power in 2015 has also not been fruitful. For further reading on the lack of progress on these see: International Crisis Group (2017) *Sri Lanka's Transition to nowhere*. Asia Report N°s 286, ICC: Brussels, 17 May, 2017 and Welikala (2019) "Sri Lanka's (un)ending road to constitutional reform." Constitutionnet.org, available at: <http://constitutionnet.org/news/sri-lankas-unending-road-new-constitution-technical-progress-political-collapse>

3 In October 2015 Sri Lanka and four other states co-sponsored the UN Human Rights Council (UNHRC) Resolution (30/1), which promised a series of transitional justice measures. The specific reference to these mechanisms in the resolution is as follows: "a commission for truth, justice, reconciliation and non-recurrence, an office of missing persons and an office for reparations;" (paragraph 4 of A/HRC/30/1) and "a judicial mechanism with a special counsel to investigate allegations of violations and abuses of human rights and violations of international humanitarian law, as applicable;" (paragraph 6 of A/HRC/30/1).

4 For details of the constitutional crisis see: Ground views (2018) A constitutional crisis in Sri Lanka. In Groundviews.org, available at: <https://groundviews.org/2018/11/02/the-constitutional-crisis-a-round-up/> (last accessed on 7 July, 2019).

5 Farzana Haniffa, "Stories in the Aftermath of Aluthgama: Religious Conflict in Contemporary Sri Lanka," in John Clifford Holt, *Buddhist Extremists and Muslim Minorities*, Oxford University Press, 2016, pp. 164-193; Mohamed Faslan and Nadine Vanniasinkam, *Fracturing Community: Intra-group relations among the Muslims of Sri Lanka*, International Centre for Ethnic Studies, 2015; A.R.M. Imtiyaz and Amjad Mohamed-Saleem, "Muslims in post-conflict Sri Lanka: understanding Sinhala-Buddhist mobilisation against them," *Asian Ethnicity*, vol. 16:2, pp. 186-202, 2015; Minority Rights Group International, *Confronting violence: continued violations against religious minorities in Sri Lanka*, 2016, available at: <http://minorityrights.org/2016/12/08/threats-intimidation-hate-speech-muslims-christians-continue-mar-post-conflict-transition-peace-sri-lanka-new-report/> (last accessed 8 May 2019).

and racism targeted at Muslims have served to further destabilise the country's post-war trajectory.⁶

This study, which focuses on the issues, needs and aspirations of communities living in border villages, presents a less known yet important contribution to current debates on the past, present and future of Sri Lanka. Though seriously affected by the armed conflict in multiple ways, the border villages have been excluded from research and national and international policy interventions related to the conflict and peace building. Yet specifically because of their geographical placement, ethnic and religious mix, and having faced violations by all parties to the conflict, they have an exceptional contribution to make towards analysis of the conflict, peace building and reconciliation.

6 See Nimmi Gowrinathan (2019) "Sri Lanka is already drawing the wrong lessons..," In foreign policy.com, available at: <https://foreignpolicy.com/2019/04/26/sri-lanka-is-already-drawing-the-wrong-lessons-from-the-attacks/> (last accessed on 7 July, 2019); Al Jazeera (2019) "Sri Lanka bombings: all the updates." In Aljazeera.com, available at: <https://www.aljazeera.com/news/2019/04/sri-lanka-bombings-latest-updates-190421092621543.html> (last accessed on 7 July, 2019); and Aaqib Khan (2019) "After Sri Lanka attacks..." In thenewhumanitarian.org, available at: <https://www.thenewhumanitarian.org/news/2019/05/16/after-sri-lanka-attacks-anti-muslim-backlash-points-new-divisions> (last accessed on 7 July, 2019)

1.1 Objectives

The report aims to raise awareness of the effects of the armed conflict on the people who live in the border areas. Through awareness raising, the report hopes to draw the attention of policy makers to the immense and historical neglect of this group and their continued marginalisation in post-war reform attempts. The report seeks to understand the level to which these communities were affected by the conflict and in addition what they seek as redress for these violations. The latter responses are particularly intended to influence policy making on transitional justice and other post-war reform schemes.

As the demography of this area is multi-ethnic and religious, the report also aims to understand how issues of identity interlink with conflict related grievances and justice in post war Sri Lanka. It seeks to further analyse the position of each of these different ethnic and religious groups in the post-war context, including their understanding of peace and reconciliation. Understanding this broader positioning could in turn increase national level buy-in on some post-war reform policies.

Finally, the report aspires to give voice to the issues and perspectives of this forgotten group of people and to enable more state and non-state sector policy recognition that should lead to practical responses.

1.2 Understanding the terrain

The astounding lack of research and reference to the border villages in the deluge of literature on conflict in Sri Lanka is representative of the general levels of neglect these areas have historically faced.⁷ Like the border, the villages themselves are a construct, territorially defined by their residents, but cartographically not obvious. Boundaries have also been marred through successive settlements, displacement and resettlement. The border villages include the traditional homeland of Sri Lanka's indigenous people – the Adivasi or Vedda community. Through years of colonial influence and state sponsored settlement schemes they have lost their territorial claims and much of their indigenous way of life and culture.⁸ Some communities continue to identify as such, but, many others do not. A number of villages in these areas were also controversially created through national development schemes such as the Mahaweli and Gal Oya schemes, which saw a rise in Sinhalese settlements in the area. These settlements went onto become established villages though the origins of their land are at times contested by Tamils and Muslims. The Weli Oya settlement scheme is one of the most controversial, where the Mahaweli Authority exaggerated by six-times the number of Sinhalese originating from that area and displaced Tamils with Sinhalese settlements in the name of economic development.⁹ The comparative ethnic census of the Ampara district through the last few decades is also indicative of Sinhalese settlements, evident through the large increase in population figures (see table 3 below).

Table 3: Ampara district number and percentage of population by ethnicity, 1963 - 2007

Year	Total Population	Ethnicity									
		Sinhalese		Sri Lanka Tamil		Indian Tamil		Sri Lanka Moor		Other	
		No.	%	No.	%	No.	%	No.	%	No.	%
1963	211,732	61,996	29.3	49,185	23.2	1,312	0.6	97,621	46.1	1,618	0.8
1971	272,605	82,280	30.2	60,519	22.2	1,771	0.6	126,365	46.4	1,670	0.6
1981	388,970	146,943	37.8	77,826	20.0	1,411	0.4	161,568	41.5	1,222	0.3
2001	592,997	236,583	39.9	109,188	18.4	715	0.1	244,620	41.3	1,891	0.3
2007	610,719	228,938	37.5	111,948	18.3	58	0.0	268,630	44.0	1,145	0.2

Note: 1963, 1971, 1981 and 2001 figures are from the corresponding population censuses

7 The Border Village Commission was formed in the 1990s to investigate the situation in these areas. The Commission was initiated by the Border Village Coordinating Committee for Peace and the Right to Life, a collective of the following four Civil Society organizations: INFORM Human Rights Documentation Centre, Movement for the Defence of Democratic Rights (MDDR), Movement for Inter-Racial Justice and Equality (MIRJE) and the Devasarana Development Center which worked in the border villages in the early 1990s. The Commission carried out its work from September to December 1998, funded by the National Integration Program Unit (NIPU) of the Ministry of Justice, Law Reform and National Integration. Its final report and findings were not published. See Haniffa (2006) "In the Pursuit of Democracy in Post-colonial Sri Lanka." New York: International Centre for Transitional Justice; Fokus Women (2015) A report on the status of female headed households and their access to economic, social and cultural rights, Anuradhapura District: Kethigollewa and Maha Vilachchiya. Colombo: Fokus women and Rajan Hoole provides the most detailed account available of some of the atrocities suffered in the border areas, see footnote 14 below for details.

8 Attanapola, C. T. and Lund, R. (2013), Contested identities and professional primitivism of Veddhas. *Singap J Trop Geogr*, 34: 172-187.

9 See University Teachers for Human Rights (Jaffna) (1993) *From Marnal Aaru to Weli Oya*. Special Report No. 5. Available at: http://www.uthr.org/SpecialReports/spreport5.htm#_Toc512569418 (last accessed on 8 July, 2019)

Contested land is a central feature of the armed conflict and especially affected border villages.¹⁰In the early stages of the conflict the government settled economically deprived Sinhalese in these areas to act as a 'buffer-zone' between the conflict affected areas, the east in particular, and the rest of the country. During the conflict, land was claimed and seized by all parties to the conflict, forcibly displacing people, and some voluntary migration also occurred due to security tensions and the vulnerability of communities.¹¹ Multiple cycles of displacement resulted in some groups resettling on the lands of other displaced persons. The post-war return and resettlement process was largely conducted without a clear policy position, which caused further confrontations over land ownership.¹² This has been compounded by policies by state and non-state actors to claim lands for archaeological, environmental, wild-life and agricultural reasons (See Annex 1 for issues on displacement and land related problems that came out of the interviews).

Those living in the border villages were also targets of human rights violations and mass atrocities during the duration of the armed conflict. The civilian toll of the armed conflict was especially felt in the border villages where guerrilla warfare occurred.¹³ Important to the 'border village' experience were the ransacking and burning of entire villages, slaughter of groups of people and isolated, yet frequent killings and abductions of people in the proximity of their homes (see case studies below). The war-time atrocities faced by these villagers spanned three decades but appear to have reached peaks around 1983-84; early 1990s and in 2006 during the Marvil Aru military operation.

The criticality of the perspective of the 'border villages' lies in the fact that all communities were affected by largely similar forms of violence and violations by all the perpetrators to the conflict; in many cases these were revenge attacks targeting civilians.¹⁴ Witness and survivor testimonies gathered during this research, corroborated through Hoole's extensive documentation, present a picture of the 'border villages' as the terrain that over a long period, unceasingly witnessed some of the worst carnage and brutality targeting civilians, ranging from systematic and organised bombardments to women and children being chopped up in retaliatory attacks. The testimonies for this research bear witness to the targeting of groups based on ethnicity and proximity to the base of the perpetrator; the LTTE for example, attacked Sinhala and Muslim villages because of the politics surrounding their ethnic identity (for example forced settlements of Sinhalese) but, also in retaliation to military attacks in the North and East, in commemoration of LTTE leader Velupillai Prabhakaran's birthday or Martyr's Day etc., or due to their geographic proximity to LTTE camps. The military acted similarly and Hoole documents, for example, Air Force bombings of Tamil villages that were not accounted for in state documentation of civilian atrocities during the war nor reported in the mainstream media. Unlike every other part of the country, this terrain has faced the wrath of all the different combatant groups involved in the war; there were violations by the IPKF, other Tamil militant groups such as EPRLF and home-guards. The villages in the East, especially Tamil ones, were seriously affected when under the leadership of Vinyagamoorthy

10 The Centre for Policy Alternatives has a number of reports that discuss some of the Muslim land issues they include: Land Issues in the Northern Province: Post-conflict Politics, Policy and Practices (2011) and Land in the Eastern Province - Politics, Policy and Conflict (2010). These and other reports can be found on their website www.cpalanka.org.

11 *ibid*

12 *ibid*

13 For details of human rights and humanitarian violations conducted during the war see: United Nations (2011) *Report of the UN Secretary General's Panel of Experts on Accountability in Sri Lanka*. New York: United Nations; UN Office of the High Commissioner for Human Rights (OHCHR) (2015) *Report on the OHCHR Investigation on Sri Lanka*. Geneva: OHCHR; International Crisis Group (2010) *War crimes in Sri Lanka*. Asia Report No 191. Brussels: International Crisis Group.

14 One of the most detailed of the relatively few analyses of atrocities committed in the border villages is in Hoole (2001) *Sri Lanka: Arrogance of Power*, excerpts of which have been republished in the Colombo Telegraph and are available at: <https://www.colombotelegraph.com/index.php/border-aggression-and-civilian-massacres-in-sri-lanka/> (last accessed on 8 July, 2019).

Muralitharan, alias Karuna, and Sivanesanathurai Chandrakanthan, alias Pillayan, the Eastern command broke away from the LTTE. Through the military-Karuna/Pillayan liaison many innocent Tamils were disappeared on suspicion of involvement with the LTTE and the arbitrary tactics used by these groups through round ups, search operations and illicit criminal activities terrorised the population.¹⁵ Muslims too were exploited and ill-treated by these groups and the LTTE by being targeted for extortion and abductions, and Tamils in these areas faced violence from Muslims.¹⁶

The experiences of the border villagers also blur the central positioning and patronage of the main perpetrators. Some Sinhalese, for instance, faced violations by the security forces, because, based on the testimonies obtained here, they were misunderstood to be Tamils. Nevertheless, Sinhalese villagers did not all hold the position that the military are 'war heroes.' Some villagers spoke of the military using them as buffers between their camps and the LTTE's and of the failure of the police to protect their family members or investigate cases of disappearances and missing persons. Similarly, Tamils discussed the tensions caused by the LTTE forcibly recruiting their children and targeting them for association with the Sri Lankan army.

“ *The Sinhalese and Tamil communities in those villages moved, toiled and lived together farming in their plots of field and high-land. Some small time traders from Trinco town engaged themselves in bartering house-hold provisions, cloth and trinkets with the produce of the villages such as rice and bees' honey. The simple, unhampered free flow of life in these villages caused no rift, division or commotion in any way amongst themselves or with visiting traders*” - R.M.A.B. Dassanayake, a Sinhalese native of Kattukulampattu West in the Trincomalee District (Ceylon Daily News, 26.4.93, referenced in Hoole, R (2001))

Despite the early land disputes, the above quote indicates that relationships between different ethnic religious communities were strong prior to the armed conflict. All three communities have a history of living, working, trading, schooling and sharing farm-land together. Today, based on their ethnic identity the 'border villages' may be divided but they share very similar experiences which is why their positioning is so important to the analysis of the conflict and for peace building initiatives. Even amidst competition, this shared sense of victimhood provides immense empathy and understanding that can auger well for reconciliation and peace building.

15 Hoole (2001) also refers to similar tactics used by the LTTE, which he argues kept the Tamil population continuously vulnerable and dependent on their protection.

16 In interviews with villagers from Karapola and Mutthukal, both based in the East, Tamils referred to attacks they faced by Muslims from the adjoining village, which the latter denied. There were Muslims trained by the government as home guards during the war and some of them were also reportedly involved in violence against Tamils.

02 METHODOLOGY

The research adopted a combination of qualitative and participatory methodologies, the former took the form of focus groups and one-to-one interviews.

Table 3: Districts and areas where research was conducted (see Annex 2 for full details).

Anuradhapura and Puttalam	Batticaloa	Polonnaruwa	Trincomallee and Mulaitivu	Ampara
Anuradhapura Town	Bogamuyaya	Hingurakgoda	Ariyammaneni	Panama West
Thambuththegama	Gonagala	Lankapura	Uppural	Kumana Village
Kebithigollewa	Mangalagama	Welikanda	Seruwila	Hulannuge West
Thulana, Halmillawatiya	Pattipola	Manampitiya	Selvanagar	Thammatiyawela-Laahugala
Halmillawatiya, Kebithigollawa	Pattipola	Karapola	Nallur-Neelankerni	Bakmitiyaawa
YakaWewa, Kebithigollawa	Mangalagama	Athugala	Sampur	
Mannaram Handiya	Periya Pullumalai	Dalukaana	Trincomalee town	
Mahawilachchiya	Pullumalai	Pangurana	Thennammaravadi	
Alaya Paththuwa	Tampitiya	Ahamedpura	Pulliyamunai	
Padiggama, Madawachchiya	Tampitiya	Soruvila	Mottuvaram	
	Poolawala			
	Kandawurugama			
	Pollebedda			

There were three phases to the research. In the inception phase interviews and discussions were conducted to identify specific research areas, focus groups etc. During this phase the team also set

up a cohort support group, consisting of activists from all three communities who have long-standing reputations working in their localities. These district level teams acted as the main advisors and fixers to the research team, enabling them access the community and helping to provide the context. Their observations and analysis formed the participatory aspect of the research; they were also interviewed and, in some instances, joined the team in discussions and interviews.

In the selected research destinations, the team conducted a combination of focus group discussions and qualitative interviews (see Annex 2 for details). Some of the focus groups were thematically selected, i.e. families of disappeared and youth groups, but there were also groups selected on ethnic/religious grounds to enable more open discussions in confidential and secure environments. Where appropriate and necessary inter-ethnic groups were formed to test the difference in responses and dynamics between groups. Based on the advice and recommendations of the support teams, qualitative interviews were conducted with a few community leaders, activists, media personnel, political figures and religious leaders in the area.

The third stage of the research involved validation workshops where key findings and proposed recommendations were shared with the support group and a few select key participants. The aim of this was to ensure that the community was kept informed and included in the full research process and that findings and recommendations are representative of their views.

In addition to the field research a literature review of reports, academic and media articles on this and related subjects was conducted. The analysis of the field research was triangulated with the literature review and validation workshop. Interviews were coded based on violations, ethnic/religious specificities and cross cutting issues, which constituted the main analysis of this report. In addition, select individual case studies and case studies of villages which had faced a serious atrocity were analysed separately and some have been included in this report.

03

UNDERSTANDING THE ETHNIC LANDSCAPE

3.1 Sinhala Villages

Sinhala Buddhist communities living in the ‘border villages’ have experienced serious violations of human rights and war time atrocities during the course of the civil war. The nature of the violations ranged from extra-judicial killings, enforced disappearances, abductions and displacement, to the destruction of farms and villages, almost all perpetrated by the LTTE. The Sinhalese experienced targeted attacks on their villages, and many interviewed for this report spoke of living in a constant state of fear and vulnerability. Villages were threatened for a number of reasons including due to their location, close association with the military and the Sinhalese identity of villagers. Villagers explained how for periods of times during the war they would leave their homes at night and seek refuge in nearby forests, sleeping under trees and in make shift bunkers.

“ In our mind, now we are happy. Those days we lived with anxiety. We didn’t even look at our land to cultivate. Sometimes it is 8.30 am when we come home from the forest. Kids get late to go to school. We were afraid to come back home– afraid they’d massacre us. We were afraid that there’d be a bomb in our house. Everyday we looked at the road to see if someone was coming - FGD, Mahawilachchiya, 4 October, 2018. ”

“ In 1990, the LTTE came to the village and set up camps. Since then they operated in the village and there were minor incidents. It was between 1995-1996 that a catastrophe took place. There were people killed. We could not stay in the village, we were scared. We had never seen anything like this, so we didn’t know what to do. So, people left their houses and ran. The Army didn’t know who was Sinhalese and who was Tamil, and the Army set fire to the houses.- FGD, Panama West, 28 March 2019. ”

Abduction of villagers by the LTTE routinely took place. At least three villagers interviewed for this report had been captured and detained by the LTTE for several months before they were returned to their families. These villagers claimed they were treated well by the LTTE and were allowed to correspond with their families via the ICRC. The purpose behind the abduction was usually to ascertain information on the locality; the demography of the village and where security posts were etc. However, some of those who were abducted never returned. A number of women interviewed for this research had family members who were killed or disappeared by the LTTE. In most circumstances they were abducted or attacked whilst farming or traveling out of the village. The incidents appear to be systematic and routine and occurred mainly in the 1980s and 1990s, with fewer cases reported since 2000.

Sinhalese villages have also faced mass atrocities perpetrated by the LTTE which appear to have been targeted and have had a lasting impact on the security and everyday life experiences of the communities.¹⁷ Whilst these mass atrocities were arguably less large-scale and frequent than those faced by Tamils, they were nevertheless very damaging to the communities. The Alinjupathanamassacre of 68 civilians, in 1992, and the Kebethigollawe Claymore mine attack on a bus which killed 60 civilians in 2006, were among those cited by villagers of seriously affecting the security of Sinhala and Muslim communities in the areas. Both attacks were blamed on the LTTE, though the rebels denied being involved in the latter, which was towards the end of the Norwegian facilitated peace negotiations.

The Sinhalese 'border villages' have a high level of militarisation and communities have a close and integral relationship with the military. A previous report on 'border villages' found a pervasive level of militarisation affecting the border areas¹⁸ and this research shows that this was especially felt amongst Sinhalese villages due to their close connection to the army and Civil Security Division (CSD).

A number of families have members in the army and there is also a high level of military widows from these villages. Some villages were only viable because they were close to an army camp which made them vulnerable to attack but provided a strong sense of security as well. This research found that most people had an especially close link to the CSD as many were attached to it, and they found it to be the first resource for protection before the army or police were able to provide support from attacks. There were some accounts of how violence was prevented or reduced because of timely CSD responses, which was compared favourably to inaction by other security forces, especially the police.¹⁹ In addition to providing protection to the village, CSD also has employed a number of Sinhalese and supported much needed and rare economic development for families and communities both during and after the armed conflict. Army families who have members who were killed or disappeared face a host of distinct issues (*see section on women*) but have received support such as housing, and with their military pension are able to cope through economic difficulties which are acute in these areas. This, however, is not without complication. There were cases where some who were in the CSD who started as home-guards were not given permanent positions and there were also some inconsistencies in benefits and support given to families of CSD and military personal. Some families of army personnel had not received compensation because the loss, death or disappearance had occurred whilst the person was on leave or off-duty.

Like those from the other two ethnic groups, Sinhalese Buddhists interviewed here were largely unaware of the government's proposed transitional justice process nor did they show much interest in it. Claims for post-war justice were at times considered important but not essential. Some interviewees emphasised the importance of families of disappeared finding the truth of what happened to their loved ones, while others discussed the need for justice for violations they had suffered and for those faced by minority groups, but these claims were not explained as a priority or with a sense of urgency. Some also argued that criminal justice and/or compensation could be provided on a case-by-case basis rather than as a national level project. This was especially in response to questions over criminal prosecutions

17 This refers to the violation of international human rights laws, specifically the targeting of civilians, which can amount to war crimes. For definitions of atrocity crimes see: United Nations (2014) *Framework analysis for atrocity crimes*. Available at: https://www.un.org/en/genocideprevention/documents/about-us/Doc.3_Framework%20of%20Analysis%20for%20Atrocity%20Crimes_EN.pdf (last accessed 7 July, 2019)

18 Fact finding Citizens' Commission on the border villages in North-East affected by the war (1998) *Emerging Issues (Draft)*, Colombo: The Border Villages Coordinating Committee for Peace and Right to Life and the Movement for Inter Racial Justice and Equality.

19 Interviewees explained how the CSD often acted with more urgency due to their closeness to the village, i.e., they were from the village and those under threat were their own families and neighbours. Consequently, they also took more risks than the police, interviewees said.

for military personnel who were allegedly involved in serious violations and war time atrocities during the armed conflict, though nearly everyone questioned on this issue said they were unaware that the military was involved in such violations. A few people stated that if the military was in fact involved in any such violations, then they should be investigated and prosecuted based on each case. There was also a sense that even if justice was necessary for long term peace, political leaders in Sri Lanka could not be relied on to provide this, echoing similar loss of faith in state and government processes for achieving justice.



“ *Justice comes with equity. We have a village now. We are okay. Our parents may have a different idea. Some of our parents may want to go back.*

Government has to find the disappeared people. Only the family of the disappeared people know what it is like to have someone missing. If the person is dead, the family has to know who did it. Everybody has the right to live.

The government has a duty to bring justice to people. If it happened to us [disappearances], we'd also cry. We get tears when we watch on TV how people are crying and looking for their loved ones. Justice is needed.

The people in the armed forces made many sacrifices during the war. Some people got justice, some didn't.

We haven't heard of anything like that [about the Army causing disappearances]. We can't imagine anything like that. If there are allegations, if it possible that they were isolated incidents carried out for private reasons?

If something has happened, the head who gave the command should be punished. But who will punish them? When the government commits crimes, who will punish the government? The law applies only to the poor. In Anuradhapura recently a woman who stole 3 mangos was punished. But the rich get off scot free, - Meda Oya Maduwa FGD, October, 2018.

”

An important distinction between Sinhalese communities and minorities was that for the Sinhalese justice was closely associated with security and the absence of war. The feeling of safety they enjoyed with the elimination of the LTTE was interpreted by some as a form of justice, though when questioned they were able to consider that this may not lead to a lasting peace.

Identity for many older Sinhalese was fundamentally attached to Buddhism first, to ethnicity secondly, and on occasion, to name and village. Buddhism was more than a religion and form of identity, it also provided a sense of community and shared experience against the 'other', with the temple being at the forefront of these relationships. Sinhalese othering of Tamils and Muslims was clear, though increasingly more prejudicial of the latter than the former. Many referred to anger and 'hatred' they possessed, and on some occasions continue to have towards Tamils for the violations and atrocities they faced during

the war. These emotions were referred to mainly when remembering war-time suffering. However, most Sinhalese interviewees said that they no longer held these feelings, apparently as a result of the destruction of the LTTE and end of the war which brought them increased security. Some did however, consider that Tamils continued to harbour 'hatred' towards them.

“ *Those days there was hatred against Tamil people. But now it is not there... Though there is pain, there is no anger because we don't see them [LTTE] anymore*
- FGD, Mahawilachchiya. 4 October, 2018. ”

Both in addition to the sense of security and enabled by it, Sinhala -Tamil relations have also improved based on everyday interactions such as trading, farming and transport. Language remained a major obstacle to improving relationships between communities but some level of communication existed through village level interactions.

Most Sinhalese interviewed drew a distinction between the LTTE and Tamils, and showed a level of empathy for the latter, which appeared to be a specific phenomenon associated with living in a 'border village'.

“ *When I saw my sisters killed, I wanted to massacre them all. But with time, as I encountered and learnt more about Tamil people, I understood that they are not the same. At first what I felt towards Tamil people was hatred. But I realized the LTTE weren't representing them. The LTTE also harmed Tamil people. They abducted children and trained them as soldiers – interview with three-wheeler driver, Mangalagama, Ampara, 28 February 2019.* ”

“ *Just like us, LTTE families also would have faced the same thing. On the news we see Tamil families crying asking for their loved ones. What we wanted then and what we want now is peace so that we and our children can walk on the road without fear.* – Mahawilachchiya FGD, 4 October, 2018. ”



Even if many Sinhalese interviewees were unable to foresee or consider supporting a larger transitional justice process, based on the above they showed consideration for Tamil conflict related grievances, at times stating they were legitimate, and there being a need to find a solution for the conflict.

While some Sinhalese villages had close relationships to Muslims who had offered them protection and security from the LTTE during the war, the vast majority were suspicious and mistrusting of Muslims in the current post-war context. Anti-Muslim campaigns advising against eating and purchasing clothes from Muslim shops were widespread and well known, with a number of those interviewed adhering to these racist boycotts. Generally, the position of the Sinhalese villagers towards Muslims did not appear to be personal or based on individual experiences, but was rather attributed to what they had heard from within the village, larger community or via social media.

“ *The Muslims will come into power in the near future and the Sinhala community will become redundant (will disappear.) The Muslims are like our colonisers now. At the rate of their population growth and how they control the economy. Also, there are clashes between the temples and mosques and religious leaders, so I foresee problems in the future. It's only a temporary peace we have now. I don't think it's possible for all of us to live in peace together. We must all be of one religion, speak one language and have one lifestyle, if we are to have peace. Otherwise, it's not possible. The Sinhalese always use divisive terms 'thopidemala' 'thopi Muslim' to distinguish the other ethnic communities, and constantly carry anger in their hearts. Everyone does. That's why there won't be any peace - Dalukana FGD, 26 February, 2019.* ”

The research found there were Buddhist monks actively engaged in promoting fear and insecurity amongst Sinhalese with claims of Muslims being a threat to the state and to Buddhism.

Sinhalese villagers also spoke of how they faced stigma for living in 'border villages' which is often seen as degrading. They stated that when Sinhalese were targets of LTTE attacks they were marginalised and discriminated against by other Sinhalese, and referred to as '*Sinhalekoti*' (Sinhalese Tigers), because they lived in close proximity to the north and east. In Yakawewa, in particular, the FGD spoke of how they received very little support from neighbouring Sinhalese villages, that they were distrusted and their children were not taken in by the local schools which affected their education.

CASE STUDY - GONAGALA

Gonagalais a remote village located off the Mahaoya-Ampara main road in the Ampara district. A forest patch separates them from the two Tamil and Muslim villages of Sinnawatte and Kalmunai in the Batticaloa district. Elders of the village recall earlier times when they used to travel to these places to trade goods, sell their produce and also access administrative services and hospitals. Tamils and Muslims also used to visit Gonagala for work, trade and to graze their livestock.

“ *At the time we didn't make any differentiation along ethnic lines. They were people from the adjoining villages and towns, and we probably were the same to them. It was that normal to us. It is only now that we tend to make these distinctions, i.e. this person is a Tamil, or that village is Muslim. The war was the cause for this. It has changed everything.* ”

As the movement of armed rebels in this area intensified in the early 1980s, fear and suspicion arose among these villagers. Those who ventured into the forest for cultivation, firewood or other resources, would retreat at the slightest indication of unknown or unfamiliar activities taking place. “Since then we lived in constant fear. We didn't think that we were a target, but it was frightening to even think of groups of rebels with weapons near our village.” Given the remoteness of the village and the people's traditional ways of life, they were not able to relocate to any other area.

“ *We lived in constant fear and we wanted desperately to move out of here, but our grazing and paddy lands were all here. How were we to live with no land to cultivate on? So we had no choice but to remain in our village and live in fear.* ”

In the early hours on 18th September 1999, the LTTE entered Gonagala and hacked to death 54 innocent civilians. Among them were 17 women and 10 children. The brutal attack was

not expected and was overwhelming. Entire families were lost, and in some instances just one family member survived.

“ We cannot even recall the horror we faced that day .Everything changed for us. The entire village was one funeral house. Mothers and children were grieving. No one should ever be made to go through something like this.

The very next day, the (then) Secretary of Defence, Anuruddha Ratwatte, visited our village. He had a heavy armed guard, and he came by helicopter. He visited some families and promised that the government would look into our needs. It's been 20 years now. Nothing has happened, and no one has visited since.

”

3.2. Tamil Villages

Violence, suffering, endurance and positioning as victims marks the experiences of Tamil communities in the ‘border villages.’ The testimonies of Tamils in these areas without doubt presented the most serious and systematic violations and war atrocities found through the entire research. Importantly, unlike the Sinhalese experience and to a much lesser extent the Muslims, the Tamil civilian toll was hardly acknowledged by the state and very rarely reported in the mainstream media.²⁰

Tamil villagers had experienced displacements through the course of the armed conflict, shifting between at least three or four localities and a significant number ending up in Mullaitivu in the last stages of the war (see case study below). Every Tamil interviewee had lost an immediate family member or relative during the course of the armed conflict; some were killed in targeted attacks on their villages and others in military shelling during the last stages of the war. In some cases, multiple relatives were killed.

“ There were several displacements that took place, in 1985, April 1990, and 2006 because of the war. Villagers were displaced to China Bay, Sampur, Verukal, Batticaloa, Kilivitty, and Trincomalee. Several died while they were being displaced due to the shelling, and some were wounded by the shells as well - Aariyamankeni FGD, 23 March, 2019.

”

A large majority of those interviewed also had a child, sibling or husband who had been disappeared during the war. Apart from two cases where the individual concerned was involved with the LTTE, the families claimed they were taken for no known reason. In most cases the perpetrators were Sri Lankan government forces, at times combined with the Karuna group. Families of the disappeared stated that they tried every form of recourse to justice, ranging from making police entries to consulting the International Committee of the Red Cross (ICRC), but that they had not succeeded at any level. There were also some cases where family members had been arbitrarily arrested and detained without fair trial. In at least one case, the family member was unsure if her child was in detention or had disappeared, as she had had no contact with him but was informed that he had been taken to the notorious Boosa detention camp in the southern Galle district. In other cases, family members had pieced together details of the case based on accounts from eye witnesses who saw the individual being taken, or in a few cases, by individuals who were also abducted/arrested but were then returned. The time period

²⁰ See Hoole (2001) for some evidence of this, including a reference to a document presented by former Deputy Minister of Defence Anurudha Ratwatte, in February 1996, which documents 2900, ‘mostly Sinhalese,’ civilian killings leaving out military attacks on Tamils.

when these abuses occurred throughout the course of the armed conflict, though many incidents took place after it ended.

One of the unique atrocities faced only by the Tamil communities in the 'border villages' is what was described as 'round-ups'; following an LTTE attack targeting the military or in Colombo, the security forces would round up entire villages, force them to a common area, and detain them for hours while some form of surveillance was conducted. At times a masked person would point to individuals who would then be taken by the army for questioning.²¹ Some of these were never seen again.

“ *The round-ups by the military happened weekly or monthly. If there were any bombs in Colombo or other tensions in other parts of the country, there would be a round up. The entire village, including children and elders would be taken to a common ground, and the people would be made to sit on the grass. A masked individual will be brought in and would nod their head in either a yes or no manner and would identify suspects. These suspects will be thereafter taken away by the military.*

Young people were given 'thottachiningi' and 'mullimullu' which are both thorny plants to chew as it would cut/wound their mouths and make them bleed, as a form of torture. This was done by the army for vengeance - Participant from the Soruwil FDG, 26 February, 2019. ”

The repeated and acute levels of displacement faced by Tamil villagers was also notable. In each displacement, the villagers lost most of their belongings and had to be temporarily sheltered before restarting their lives in a new area, only to be displaced again a few years later (see Annex 1). Whilst other communities too had suffered multiple displacements, it appeared to be more frequent for the Tamils which also acted as an obstacle to their socio-economic development, especially affecting their ability to invest in and develop forms of livelihood.

Violations against Tamils were conducted by a wide-range of perpetrators which also differentiates their experience from other groups. Tamils in the 'border villages' displayed less allegiance to the LTTE compared to those in the north, and displayed mixed views about the LTTE. Many stated that the LTTE did not originate from their areas, and that they only ended up supporting the LTTE after being oppressed by successive governments and the state.

“ *There was no LTTE in this village - the government created the LTTE. She said that people were fed up with the abuses being perpetrated by the government, and so they joined the LTTE to fight for their rights - participant from Soruwil FDG, 26 March, 2019.* ”

The LTTE existed in the Tamil 'border villages' but they were not omnipresent. Their administration and security were not prevalent in these areas as much as they were in the north. Some villagers explained that there was more law and order under the LTTE, and that peoples' everyday needs were met with more efficiency. LTTE recruitment extended to these areas and many talked of their fears of their children being forcibly recruited. There were also at least two cases of extra judicial killings blamed on the LTTE, and despite their Tamil identity some people felt vulnerable to LTTE violations.

“ *If we are against the LTTE they (the LTTE) would immediately kill such individuals, and it was the same with the army. We just wanted to save our lives, but it was not possible, people died either way - participant from the Aariyamankeni FGD, 27 March, 2019.* ”

21 These masked individuals were believed to be former LTTE cadres or from other Tamil paramilitary groups.

Following the break-up of the LTTE, the Karuna group was blamed for some killings and cases of enforced disappearances, and those attempting to find their loved ones faced violence and harassment from Karuna's cadres. Some Tamils explained in interviews how the IPKF also targeted their areas, often suspecting that the villagers were helping the LTTE.

The Sri Lankan security forces, especially the army, were responsible for a number of mass atrocities and serious violations targeting civilians.²² Some interviewees originally from the 'border villages', had been displaced and so were caught up in the last stages of the war in Mullivaikal where they experienced military perpetrated mass atrocities, including what could amount to war crimes. They spoke of incessant shelling of civilian targets by the military, which resulted in a large number of deaths, scarcity of food

and water, and abuse by military forces once the Tamils were in their control. They also explained about the difficulty they faced in the immediate aftermath of the war when families were separated and people were placed in displacement camps with no freedom of movement or expression. In addition to round ups, the military was also responsible for routine searches and different forms of targeted attacks on Tamil villages as well as conducting arbitrary arrests and disappearances.²³



Ten years after the end of the war, Tamils living in the 'border villages' enjoy better security but continue to be impacted by the same factors that caused the conflict. Primary amongst these is the language problem. Since many Tamils have to access services from areas that have Sinhalese or mixed populations, they face numerous difficulties due to the lack local administrative functionality in Tamil. State sector services such as hospitals, police, local government, and private sector ones such as banks, continue to operate in Sinhalese, in verbal and written forms, obstructing Tamils from accessing at times very basic services. Many Tamils can converse at some level in Sinhalese but, do not have sufficient language to, for example, explain complex health problems or read and complete exclusion forms. Tamils who have been resettled in new areas face serious economic hardships, whilst in some cases Sinhalese have been settled in their (Tamils') original homes and benefit from the natural resources in those areas. In some cases, their lands were under occupation by the military. Tamils also feel strongly that they are discriminated against by government and local government authorities in the allocation of resources which they say first go to the Sinhalese and then to Muslims. They also referred to being discriminated against in terms of employment opportunities and having less access to a basic standard of education.

“ The President says everyone is equal but this is not true. If any assistance comes, it first goes to the majority community and then comes to us- participant from Soruvil FGD, 26 February, 2019. ”

In Aariyamankeni, Trincomalee district, respondents noted the lack of ethnic representation in the government offices and the issue of language. According to them, most staff in the local administrative offices are Muslims which they felt was unfair as there are four Tamil villages and only one Muslim village in the division. However, there was no Tamil representative and only very few Tamil officers. They also claimed that most staff in the government officers and other places are Sinhalese and Muslim.

22 See Hoole (2001) for details.

23 Though these incidents are not directly related to the issues of the border villages they are important to note as they reflect the transient nature of settlements in the border villages, the repercussions of displacement and multiplicity of experiences.

Tamils also felt let down by non-governmental organisations who they felt were prioritising development efforts in the north over their areas.

“ They promise many things, but never follow through. If they give 10 people, they omit another 50 people -participant from the Nallur and Neenakkeni FGD, 28 March, 2019. ”

Like Muslims, many Tamils spoke of the Buddhisisation of their villages. This was through a process of Sinhala and military settlements. Whilst there were a number of tense cases over land and sharing of resources between Sinhalese and Tamils, in the interviews, the latter were careful not to show prejudice to all Sinhalese. Some differentiated between Sinhalese leaders/politicians and the larger population. There were mixed feelings about Tamil-Sinhala relations; some felt that they were improving while others were of the view that issues remained but Tamils felt powerless to raise them.

“ Prior to 1984, the Sinhalese were not living in Mukathuvaaram permanently. They do not own any land there. However, now they have a school, Buddhist temple, and have also built houses there. They are occupying our land. About 120 Sinhalese families used to come for fishing during the season, and would go back to their villages once the season was over. The season lasts around 6 months, and the Sinhalese come with their families. Now there are about 400 Sinhalese families. The Sinhalese are from Negombo, Wennappuwa, and Jaela. The Sinhalese have deeds and houses in their own villages - Pulliyamunai, Kokilai, FGD, 29 March, 2019. ”

Tamil-Muslim relations at community level for the most part remain free from conflict. Tamils see Muslims as on occasion having protected them during the war, and in Nalloor and Neenarkerny, which face a high level of poverty, they referred to the immense charitable support they receive from their neighbouring Muslim village. There were some comments about Muslims gaining more post-war resources and services but this was not a broadly held opinion. Many Tamils were aware of the anti-Muslim campaigns and some expressed concern and shared solidarity with the Muslims.

Others, though, felt that Muslims were only concerned with their own economic progress and competed for rather than shared resources. They also considered Muslims to be uninterested in minority rights for all.

“ Muslims fish illegally in the lagoons here, they do all the illegal work. Muslims will live/survive anywhere. They are able to survive regardless of where they live, and whom they live alongside. Muslims are concerned about ensuring their livelihoods and gaining a steady income. When the Tamils demand their rights, then the Muslims may ask for their rights as well but, they are mainly concerned about securing steady means of livelihood. - Pulliyamunai FGD, 29 March, 2019. ”



Ethnicity for Tamils is the major identity marker, though a few also stated religion and their locality as being important. Many spoke of the insecurity and discrimination they faced during the war due to their Tamil identity.

“ There was fear of being a Tamil. We used to sometimes wear the Muslim prayer cap in order to disguise ourselves as Muslim...We were careful not to dress like the LTTE. We didn't wear clothes with camouflage print, the men never folded the sleeves of their shirts, and we all refrained from wearing slippers with the spiked soles as these were commonly associated with the LTTE. We were also afraid to show our NIC because it would indicate the villagers were Tamil, and they (the military) would shoot us. They leave the LTTE in the forests, and harass us instead-FGD Aariyammaneni, 27 March, 2019. ”

Women in this and other FGDs spoke of their fear to wear *pottu* or *thiruneeru* (holy ash) and some even said they feared speaking Tamil in public places in Tamil.

Justice is exceptionally important to Tamils and very closely associated with peace. Even if some Tamils doubted they could ever get justice for war time atrocities and human rights violations they were often uncompromising on its importance for a lasting peace. As with the other two communities, Tamils interviewed here were also largely unaware of transitional justice as a concept or process but were able to articulate their justice needs. There was an overwhelming need for truth seeking, especially amongst families of the disappeared, and claims for reparations, primarily in the form of redressing war time damage through socio-economic and development support. Most Tamils were clear that the absence of war could not be construed as peace, and that the continuation of factors that caused the war, such as systematic discrimination and the lack of justice, were the main impediments to peace.

There was also a strong sense of despair and hopelessness amongst Tamils at the lack of options available to them to claim their rights. They feel the state is unconcerned about their needs and rights and they no longer have avenues for resistance and protest. This was a factor they especially attributed to their geographical placement because they live close to Sinhalese villages and thus feel vulnerable.

“ In the North and East, as the majority are the Tamils, they can protest and demand their rights. However, here the Sinhalese will chase us; they (in reference to the Sinhalese) are the majority, we can't ask for our rights or protest,-FGD participant from Soruwil, 26 February, 2019. ”

CASE STUDY TWO: THENNAMARAVADI

Thennamaravani is their ancestral land and people have lived here for more than 300-400 years. The Hindu temple was built in 1935 by their ancestors.

On November 3rd 1984, the villagers fled their village due to violence and were displaced to several places including Jaffna, Trincomalee, and Mullaitivu. During the final phase of the war most ended up in Mullivaikkal. Eight villagers returned to Thennamaravadi in 2010, and the rest followed over the years.

The incident in 1984 which triggered their displacement occurred suddenly. Sinhalese from places like Ja-ela and Puttalam fish in the neighbouring waters for prawns. Villagers from Thennamaravadi also fish for personal consumption. The Sinhalese use paddy as bait to catch prawns which is not good for the prawns or the water, so the villagers had told the Sinhalese not to use paddy. Prior to 1984, this is the only tension that those interviewed could recall.

“ It started when four people shepherding their cattlere were abducted. The villagers suspect it was the neighbouring Sinhalese villagers but could not be sure. Nine people, four women and five men who were relatives of the abducted ”

went looking for them, and approached the army. Except for two women, the rest were killed by the army. The two women returned to the village naked, they had used leaves and fronds to cover themselves; the women were shouting “run” as they returned to the village.

”

One of the interviewee’s mother was among the two women who were sent back. Her mother told them that they were beaten by the army and that the other two women who had gone with them were dragged into the forest, nobody knows what happened to them. The villagers fled and after 10 minutes they heard shooting. “As we crossed the river we saw our houses burning.” The next day, when villagers came back to rescue a few elderly people who were unable to make the escape, they found their mutilated bodies. Respondents stated that it was the Sinhalese villagers who attacked their villagers. “They were drunk” one person said. They had also looted the village; “What anger do they have with us?” they asked.

The village temple was completely destroyed during the war, and the statue of Lord Ganesh was stolen. Initially the villagers kept stones in place of the statue and worshipped that, but now they have a statue from Trincomalee.

Two of the elderly females in this group were in Mullivaikkal during the last phase of the war. They stated that they were used to the sound of bomb blasts and shells falling right next to them. They often had to stay inside bunkers, and each time they looked out of the bunker, there were several dead bodies of those trying to escape the shelling/bombing.

“ *We had to walk through water, and often we would trip over dead bodies. There were no toilets or any proper sanitation in Mullivaikkal. We can’t even imagine what we went through.*

”

Death was very common, and the women stated that they would be seated and talking and someone would just fall dead because of the shooting/bombing/shelling.

“ *There came a point where there was no milk powder for the children and those who wanted milk powder were asked to stand in a queue. The entire queue of people were shelled and they were killed on the spot. They (the military) would pile the dead bodies and set them on fire.*

”

After the war ended and they were taken to camps where families were separated. When they demanded to be in the same camps as their siblings, the military would beat them. In this way most were separated from their families; “we did not know what had happened to them for about five months.”

Participants were also individually affected by the conflict.

Respondent 1: Son in law and mother were injured by the shelling during the war.

Respondent 2: One child was killed in the conflict, one was wounded with shrapnel in her stomach and one disappeared at the end of the war. She has not been able to find her lost child.

Respondent 3: Her husband has shrapnel in his chest. Her sister was killed in a shell attack in Mullivaikal. Two of the respondent’s brothers were also taken by the navy in the 1980s. Both remain missing.

Respondent 4: On 16.10.2008 her son was taken by the LTTE and was released, thereafter the army took him and he has been missing since. Her husband was beaten by the IPKF and continues to suffer from his injuries.

Respondent 5: In 2007, the LTTE took her son, he was never found.

After the war ended, they returned to this village. The forest had grown over the village and they had to clear it and rebuild their houses; the government provided no assistance. The previously fully operational school was destroyed and not subsequently repaired. There are currently 103 families living in the village. Some parts of their village are occupied by Sinhalese from neighbouring villages who are cultivating their lands.

“There are many problems but we are patient. We can't do anything. They are many and we are few.”

Respondents emphasized that they are outnumbered by the Sinhalese in the area and they are unable to do anything. “The government oppresses us and takes all our land and gives it to their people.”

3.3. Muslim Villages

Muslim villages often exist side by side with Sinhalese and Tamil ones and were affected in similar ways to the other groups, but were to some extent also caught up between them. A point repeated by Muslim interviewees was that they were ‘the most affected group.’ Though empirically unverifiable, this appears to stem from their sense of frustration at being seriously affected by the conflict and not recognised as such. Haniffa, in her work on northern Muslims, has discussed the victim narrative formation amongst Muslims who have had to compete with the other two groups for recognition of their place in the conflict.²⁴ A similar narrative emerged amongst Muslims in the ‘border villages’ who attempted to stake their legitimate claim for victimhood, but there were also clear tensions in the Muslim positioning which will be discussed shortly.

Muslims felt that they were in an unusually difficult position caught up between both the warring parties. While they attributed most of the violations they suffered to the LTTE, they also explained how they were persecuted and harassed by both the LTTE and military on suspicion of supporting the other.

“One person from each family was expected to go with the army on rounds and help dig up bunkers and engage in shramadhana. They would not pay for any of these services. If anyone failed to go, the army would beat up the men in the family.”

The army often told us not to speak with the Tamils. Similarly if LTTE observed us talking to the army or the Sinhalese, they would beat up the villages. We were crushed by both sides – Selvanagar FGD, 28 March, 2019.”

In the early stages of the armed conflict a few Muslims were part of militant struggles and some Muslims in the north and east supported militant groups, including providing security and food. However, quite early on in the war Muslims withdrew their support for which they paid a significant price, especially to

the LTTE. The security forces also trained and created home-guard units amongst Muslims which were nominally for community protection but were also a strategy to divide Tamils and Muslims.

²⁴ Farzana Haniffa, “Competing for Victim Status: Northern Muslims and the Ironies of Sri Lanka’s Post-conflict Transition,” *Stability: International Journal of Security & Development*, 2015

Muslims were the targets of extra judicial killings, enforced disappearances, abductions and kidnappings. Killings of Muslims took place in mass attacks and where individuals were targeted. In almost all cases the perpetrator of these violations was the LTTE. Muslim villages were also ransacked, mobbed and burnt down by the LTTE (see case study).

Unique to Muslims in the 'border villages' was the high level of kidnapping, extortion and theft that took place, again perpetrated by the LTTE. Muslims were seen to be wealthier because of their trading and business links and interviewees reported repeated cases of their homes and shops being robbed of goods and money. Extortion was at times organised and systematic. One specific case reported during the research was how Muslim migrant workers who received compensation during Iraq's invasion of Kuwait were forced to handover their money to the LTTE. On occasion killings and disappearances were linked to extortion or kidnappings when ransoms were not paid.

Muslims faced multiple displacements which, similar to other communities, culminated in land rights claims and obstructions to their economic and social development. Education in particular was affected. As a minority to both Sinhalese and Tamils they were also often vulnerable in their temporary areas. Many Muslims also spoke of being at the bottom of the list for international and national aid support during the armed conflict.

Many of the war related problems Muslims faced continue to affect the border communities with the added issue of Islamophobic campaigns and attacks. A number of Muslims have lost their original lands to other displaced communities, the military or to state development programmes. They have not been compensated for this nor have they had much success in reclaiming their land through legal or other means. This includes access to lands, especially agricultural lands, as a consequence of which they face serious income generation and livelihood problems. Muslims also explained that their land was being claimed or encroached on by various state entities such as the agriculture, archaeology and wild-life departments. There were some cases where Muslim lands had been taken over for Buddhist religious sites and places of worship.

The most prominent issue currently facing many Muslims in the 'border villages' is their susceptibility to Islamophobic attacks and campaigns. Prior to the Easter Sunday attacks, Muslim interviewees expressed some vulnerability but did not consider themselves under immediate threat; anti-Muslim sentiment was felt but violence seemed distant, not affecting their areas. However, in the validation workshops conducted after the Easter



Sunday attacks this position had changed. All Muslims spoke of being affected by racist boycotts and prejudicial campaigns that were widespread even in their localities. Muslims said they were living in

fear and felt vulnerable when they left their homes.²⁵ They said they felt especially unsafe in on certain days like Poya, when religious processions take place on the streets. There was one reference to crowds 'hooting' as they passed Muslims home on Poson full-moon Poya day (17 June, 2019).

Notable in the interviews with Muslim groups was a level of tension that existed amongst them about expressing their ethnic/religious positioning. There were for instance, tensions about criticising the treatment of Muslims by security forces, diversity within Islam and on the effects of Buddhist extremist violence in their localities. These tensions point to a level of distrust amongst Muslims of those conducting research but can also indicate their discomfort and vulnerability to scrutiny and both the perceived and actual risk of being a smaller minority.

Muslims generally contended that justice for war related atrocities and violations was important but they had varying views on their attainability. Most of the violations they suffered were committed by the LTTE, but unlike the Sinhalese they did not have a feeling that the destruction of the LTTE was a form of justice. Instead many still felt the need for justice but were disenchanted by the possibility of this with the non-existence of the LTTE as a group. Many Muslims also believed that criminal justice for Tamils, and generally for minorities, was vital but were concerned that it must not threaten unity which they believed was of more importance. Recognition for violations they suffered (in conflict narratives) and reparations in the form of compensation and socio-economic development support were specific claims made by Muslims.

CASE STUDY: AHMADPURA

“ This village is our ancestral land there are about 80 families living here.”

The village was attacked by the LTTE on 15.10.1992 and the residents were displaced to Thambala as refugees. Some of those who are originally from Ahmadpura still live in Thambala and Sungavil where they have bought land and settled down.

“ Muslims faced the most threats during the war. Sinhalese are the majority. Tamils are the minority and they couldn't oppose the Sinhalese, and so they threatened the Muslims.”

“I think we were only threatened by the LTTE.”

“We can't say only LTTE, the army also threatened us

280 people were killed in the LTTE attack in 1992 in which people also lost their livestock. A few villages such as Ahmadpura, Akbarpura, and Pamburana that are currently referred to separately, used to be one village called Palliyagoda (Pallithidal in Tamil). It was Palliyagoda that was attacked in 1992, which thereafter split into three.

There was one abduction that took place. A young man went to pick herbs with a Sinhalese, and both were abducted. They were never released.

25 The Easter Sunday attacks occurred after the research for this report was completed but before the validation workshops.

“ There were several Muslims kidnapped for ransom by the LTTE. In these cases the prisoners were chained. These ransom kidnappings targeted rich families, and the ransom ranged from Rs. 50,000/= to 100,000/=.

Several shops were looted, and the LTTE would ask for guns. There were several incidents of physical assault as well. ”

The shop owner said his father too was a shop owner. The LTTE came and took him asking him to show who his father was. The respondent had said that his father was next door and went and identified him for the LTTE. The LTTE took the father to the shop to ask for money and other things, and on the way had dropped the respondent at his house.

In all the incidents the perpetrators were the LTTE.

“ Now no point asking for anything – whatever is done is done. We just have to live in peace. ”

With regard to the threats Muslims faced post-war, a respondent who is a shop owner referred to the BBS related issues. One of the youth respondents pointed out that Buddhists have been claiming this village as “holy land”. The respondents later said that the BBS related antagonists had been arrested, and the problem is now over. They said there are no current problems in this village, but there are problems facing Muslims in other parts of the country.

In their village the Forest and Wildlife Department is taking away their land, “When the LTTE was there this problem wasn’t there. We have notified the government about this but, nothing has been done to date.”

04

ISSUES SPECIFICALLY AFFECTING 'BORDER VILLAGES'

Economic difficulties:

Almost every single individual interviewed for this report discussed the immense economic hardship communities were undergoing in the 'border villages'. There were multiple factors that contributed towards this. Most of them were conflict related; having been displaced multiple times and often resettled in a new area people were unable to engage in their traditional forms of livelihood, be it farming, agriculture or fishing. In rare cases people had access to their farming lands but traveling to and from them was time-consuming and yielded little. Some villages had been introduced to new forms of livelihood such as animal husbandry, but their skills were not sufficiently developed nor were they properly resourced to make these projects successful. Generally, livelihood options were limited, new settlement areas had their own limitations and few choices were available because of their limited skills and training.

Income generation and employment opportunities were also very limited. Due to displacement and poor quality schooling, most people did not have the necessary qualifications to obtain state sector jobs and were not in a position to compete with those from the bigger cities such as Trincomalee, Batticaloa and Vavunia. Due to the high cost of living, those earning a stable state sector salary explained that it was far from sufficient to meet their monthly expenses. There were hardly any state or private sector employment generation projects and few or no factories or schemes where people could find employment and earn a living.

A high number of people migrated to the Middle East as unskilled labourers and domestic workers, which helped to bring in some income for their families but has led to a number of specific social problems that will be discussed below.

Much of the border areas are engaged in agriculture and a long-term and pervasive drought has severely affected farming. Border villages in the Polonnaruwa and Anuradhapura districts have experienced droughts for 4-6 seasons. They have had very little government support to help them through this. There is a government subsidy on fertiliser and free fertiliser has been issued to farmers, but due to the prolonged drought and lack of income they are unable to even pay the remainder. Rice farmers are running at a terrible loss, with middle-men and the Rice Mafia (five families, which reportedly comprises the President's brothers and brother-in-law), determining the market rate and making huge profits. Rice farmers often end up earning less than their production costs.

Poverty:

Though unquantifiable, many interviewees explained that villagers in the border areas were suffering from high levels of poverty. With a high cost of living and poor livelihood and income generation opportunities, many were unable to fund their basic everyday necessities including meals. There were

references to families having only one meal a day and increasing levels of malnutrition because people could not farm or afford a balanced diet.



Debt:

As a result of prolonged economic depression in these areas many people have serious levels of debt due to exploitation through unscrupulous sales and marketing by micro-finance companies and banks. There are no proper statistics on the levels of debt but those interviewed claimed the figure was between 40-70% and many have taken multiple loans. Women were in significantly deeper debt than men, in many cases borrowing from 3-4 different companies. The micro-finance companies and banks are not regulated and appear not to have any set procedures in providing loans. Interest rates are not fixed and are exorbitant, ranging from 20 to 40 percent. Villagers explained that the debt problem had exacerbated economic difficulties and precipitated a number of social problems such as mental health issues, suicides and family breakdowns. Activists said that recent regulations presented by the Finance Ministry to relieve debt ridden individuals were not widely known or understood. They also said these regulations are unlikely to have a positive effect because people have multiple debts with different entities.

Land:

Contested land claims and forced acquisition of civilian lands is a major problem for nearly all the people living in the 'border villages'. As table 1 shows, many villagers moved during the armed conflict. In some cases other displaced communities have taken over others' land, or people have been resettled in areas that are not their original land and are torn between returning or making a new life in their new village. Land has also been taken over by the military, the LTTE (now in the hands of the military or other paramilitary groups) and other militants like the Karuna faction; which have not been returned.

In addition to the unresolved conflict related land problems, there is the more recent phenomenon of state entities such as the Ministries of Environment and departments of Archaeology, wild-life, and agriculture taking over land belonging to Tamils and Muslims. This is now a systematic process, immersed with majoritarian, racist positioning, and remains largely unchallenged by many of these disempowered communities. Despite the history of land acquisition and forced settlements the government has failed to structurally deal with this problem, depriving many people of their right to land, even in cases where they have the necessary ownership documents.

Education:

Education levels in most 'border villages' are in need of improvement. Secondary schools were unavailable in all areas and in some cases students had to travel to cities such as Anuradhapura to continue their education. School standards were poor, with insufficient resources and insufficiently trained teachers. Educational attainment varied but in some areas was low, with high drop-out rates and few students progressing into higher education.

Chronic Kidney Disease (CKD):

There is a very high prevalence of Chronic Kidney Disease (CKD) in these areas, though according

to available research the causes are unclear.²⁶ According to interviewees, the disease is a result of pesticides and chemicals used in paddy cultivation, though there is no scientific evidence of this.²⁷ Those interviewed claimed that nearly every family had at least one member who was affected by the disease and according to one estimate it causes at least 10 deaths per day, though according to the latest figures released by the President the death rate is on the decline.²⁸ The most urgent need with regards to this issue is clean drinking water, which our research team observed being provided in some areas. However, many people are still in need of it and in the current economic context paying for such water is not feasible. Interviewees explained that the main hospitals, such as in Anuradhapura, were well equipped to treat the disease but poor households had difficulty transporting patients to these hospitals.

Humen Elephant conflict:

Elephants and other wild animals encroaching into people's lands was presented as a serious problem facing people living in these villages. During the armed conflict wild animals were mostly confined to the forests because of the noise of ammunition. However, since the end of the war animals, especially elephants, frequently come into the villages where they damage and destroy crops. Villages presented the following as factors for the increased wild animal encroachments:

- i. the end of the war and sounds of explosions
- ii. the destruction of forest cover post war
- iii. translocation of elephants and monkeys from other areas
- iv. the lack of electric fences that were never erected in the 'border villages' - unlike those that were erected many years ago in interior villages engaged in agriculture.

Women and young people:

Women from all three ethnic groups have faced numerous difficulties. Many women have had to take over as heads of their households following the death or loss of the men in their families. According to a study by Fokus Women, some 57% of women in the 'border villages' have lost their male partner to the war.²⁹ In most cases women were put into these positions at a very young age with the added responsibility of caring for young children. Women from Sinhalese and Tamil communities spoke of the extreme difficulties and trauma they faced having to cope with the loss of their husband and fend for and support their children. Some Sinhalese women were offered compensation for their loss and those whose spouses were attached to the security forces receive pensions; however for Tamils and Muslims there was no similar support. The Fokus study found that only 24 percent of female headed households had access to their dead husband's pensions. Women explained that they were also not helped with income generation/livelihood nor trained to enable



26 See Zachary Davies Boren (2015) "Sri Lanka ravaged by mystery kidney disease that has killed 20,000 people in 20 years." In The Independent, available at: <https://www.independent.co.uk/news/world/asia/sri-lanka-ravaged-by-mystery-kidney-disease-that-has-killed-20000-in-20-years-9985865.html> (last accessed 15 July, 2019)

27 ibid

28 See Colombo Telegraph (2018) "Number of Chronic Kidney Disease patients are decreasing, President says." In the Colombo Telegraph, available at: http://www.colombopage.com/archive_18B/Sep21_1537527758CH.php (last accessed 15 July, 2019)

29 Fokus Women (2015) study

them to seek employment. These economic difficulties were exploited by micro finance companies as a result of which large numbers of women in these areas are also in severe debt.

There is also a level of stigma and discrimination associated with being a widow and women were at times marginalised and excluded from their communities. Though very young at the time of losing their partner, re-marriage was in some cases frowned upon and having a relationship outside of marriage more so, inhibiting their lives in many different ways. For wives of army, police, and CSD officers remarriage results in a loss of pension and other support, which in the current economic situation in these areas is extremely impactful.

“ *When the husband goes missing, young women do not remarry. Unless they have seen the body, they do not remarry.*

My brother-in-law was in the Army when he went missing. His wife is still waiting for him to come back. His mother is also expecting him to come back. His wife got compensation, but the mother got nothing - FGD in Yakawewa, 3 October, 2018.

They treat me like an outsider and look at me like I am somehow lesser than them. The people who used to visit us often when my husband was around, don't even step in here since my husband's abduction. Only we know how much we have suffered. It would have been different if my husband died of an illness or natural cause, but he was abducted and that adds to my suffering - Uppurul FGD, 27 March, 2019.

Following the Easter Sunday attacks Muslim women spoke of their fear of going to public spaces as they are easily identifiable through their dress code. They explained that the securitisation of the burka and by extension the hijab made them feel vulnerable in public and resulted in them preferring not to leave their homes.

There are also a significant number of women who went to the Middle East to work as domestic labourers for economic reasons. A number of focus group discussions highlighted family break ups as a major problem in the 'border villages' and attributed this partly to extra-marital relationships by men whose wives are in the Middle East. There have also been cases where the earnings of the female migrant workers have been misused by families, leaving women destitute upon their return.

Whilst this research did not find evidence of sexual violence and exploitation as a result of militarisation, in media work the Border Villages Commission has highlighted it as a serious problem.³⁰

“The soldiers in conflict zones sexually harass women. Armed men intimidate women,” the interim report by the commission stated, adding that young women were made use for sex and offered false promises of marriage which did not materialise.

The experience of youth in the 'border villages' is defined by the issues they continue to face. Many young people discussed the difficulties they faced trying to continue their education during the war. Their schooling was often disrupted because of displacement; in cases where they were in IDP camps they were provided some level of schooling but only after schools finished catering for the local students. There were many references to the difficulties they experienced in trying to study during the war; coping with the fear and disruption.

³⁰ Fact finding Citizens' Commission on the border villages in North-East affected by the war (1998) Emerging Issues (Draft), Colombo: The Border Villages Coordinating Committee for Peace and Right to Life and the Movement for Inter Racial Justice and Equality.

There was also a strong sense of frustration that despite persevering with education they did not have adequate qualifications, training and skills to seek employment. They found that they were at a disadvantage competing for jobs with other young people from the bigger cities such as Anuradhapura and Kurunagala who had not faced similar disruption and difficulties. There were some scholarships provided to children of families associated with the armed forces but no other educational or employment support. Employment and livelihood were of critical concern to young people in these areas.

Child marriage was also highlighted as a particular problem. During the war young children were given in marriage, especially amongst Tamils, as early as 14-15 years old to avoid being recruited by the LTTE. Even in Sinhalese villages child marriage was highlighted as a major social problem; it happens because of early sexual relationships that lead to pregnancy and then marriage because of the lack of opportunities in the area and disruption of family life with one parent migrating for work. Twenty percent of those sampled in the Fokus study had experienced child marriage and that research found that majority of these marriages failed.

Young people interviewed for this research held less strongly entrenched positions of identity, not always identifying with ethnicity and religion. Many elderly people, particularly amongst Sinhalese, expressed concern that young people were uninterested in their religion. There were also concerns about drug and alcohol abuse though much of this appeared to be anecdotal. The less entrenched ethnic/religious identity of young people cannot necessarily be seen as auguring well for reconciliation because they were heavily and critically influenced by social media. Sinhalese youth were aware of and at times believed social media hate campaigns against Muslims and there was concern amongst elders about the radicalisation of young people in both the Muslim and Sinhalese communities.

Case Study: Youth

Excerpts from the Yaka Wewa youth group.

We lived here during the war. We were young. Those days were difficult.

We understood that the displacement was because of war. We were in the camp in the town. There were no tap lines, so no water. We had to go to the lake to have a bath. We were discriminated and disrespected. We were refugees. When we bathed in the lake, others wouldn't come.

We were discriminated because this was a border village. It was also called a 'tiger village' (Koti Gama). Because it was mostly people from this village that had died. It was like we were wrong to be born here. Even the teachers used to discriminate. So then we refused to go to school.

Our education was disrupted because of the war. I sat for A/L in 2012. In the village there were no English teachers. Even when I went to university, I struggled with English. Our degree was in English and I couldn't get a class. Because of the war, we were isolated. We learnt the alphabet in grade 5. It was only in 2014 that the school got an English teacher. Since we didn't know, we didn't like to learn English.

Buddhism is important. It is our religion, we have to follow it, but there is no importance in mentioning that you are Sinhalese. You should not use race and religion as identity. Our parents may have different views.

We don't know what war is. We know it is because of a Sinhalese-Tamil issue.

This was a border village. In Tamil areas also there would have been border villages. They would have faced things even worse than what we faced. For example, child soldiers. All Tamils are not terrorists. Civilians would have faced many issues- lost lives and lost opportunities at education.

We feel that the after the war government only serves those people (Tamil). But this is a poor country and there are problems.

Victims need to meet each other. Not politicians, not media. It is the victims that should lead the TJ process. Sinhalese people still have hatred and Tamils also still have hatred.

Peace is what we want.

Some families of disappeared people still don't know what happened to their loved ones. Sometimes wives are expecting that their husbands will come back. These issues need to be addressed. Compensation is also needed. This village was affected by war but there is no justice. Politicians do things for selected people for personal benefits but the government should do justice to all people.

There is AVA group. There are bombs. We don't need another war. There are influences from the UN on war crimes. We saw on the news that the UN had said that the government should apologise to those who have committed terrible crimes. Because of these things, I fear another war may come.

We have gone on trips together and we have gone to their (Tamil) houses. In day-to-day life we interact with Tamil people. Those days we didn't have Tamil friends. Now there are youth clubs (affiliated to Sri Lanka Youth Services Council) and we meet people from other clubs. Some of them are Tamil. When we were in the refugee camp an NGO organised a programme for children. Some Tamil kids came to the camp. Tamil kids could speak some Sinhala. It was good. They are also like us. We exchanged phone numbers and we kept in touch.

In the people from our parents' generation, there may be hatred. The idea that Tamil people started the war. But in our village people go to programmes on TJ and reconciliation. They say we are all the same and we are all victims. Our parents go to these programmes and teach us these things when they come home.'

Young people like to study now. In our time, we didn't have English teachers or Tamil teachers. There are Tamil teachers now. During the war we suffered. Our parents suffered. Somehow they managed to get us some education. Now we want to do a good job and look after our parents.

05 CROSS-CUTTING THEMES

All three communities living in the 'border villages' possess what can be described as a 'minority syndrome,' which for the purposes of this report we define as a condition characterised by a set of symptoms, in this case associated with being a non-dominant or numerically smaller group. Such groups, primarily based on their identity, often face varying levels of marginalisation, exclusion and discrimination by the state and other larger groups. All of these factors were present amongst all three communities living in the 'border villages' even though at least two of them; the Sinhalese to the south and Tamils to the north form the majority on either side of the border.

This report found that all three of these groups have faced significant levels of **disregard and marginalisation by the state, international and national development actors and the citizenry of Sri Lanka** primarily because of their geographical placement and minority positioning, despite their grievances and claims being of national interest and importance. As our research shows, all these groups have experienced serious human rights violations and war time atrocities which have been compounded by critical economic and social difficulties in the aftermath of the war. The **economic neglect** is stark and long standing, our research found that issues raised in the Border Commission Interim report in 1998 remain two decades later. There were comments made in the research about how some areas had been developed because of the origins and interest of some politicians, one of them being the current President, however most people interviewed spoke in detail of how their problems do not make the national agenda, even if the lack of resource allocation and service delivery to their areas cause extremely serious and immediate problems. There are two aspects to this; first is the general marginalisation they face in development and the second is specific to the conflict – redress for violations and support for the effects of war. The latter extends to international donors as well.

The minority syndrome also extended to **perceptions of discrimination** and competition for very limited resources meaning each group feels that the other had an advantage. Sinhalese felt that Tamils, through international attention, and Muslims, through effective politicians, were beneficiaries to more post-war aid and development support. Tamils felt the same about Muslims and argued that Sinhalese have benefitted more because they are the majority and dominate the government, military and bureaucracy. Muslims felt that, as the third largest ethnic group, they were last in line. All three positions were based on feeling a minority or non-dominant group in their specific geographical area.

“ They [Tamil People] have been given justice, we have seen. They have houses, they have jobs, they have cattle and goats. When you go to their villages you can see. Even if you look at the houses. In Shanthimale, there are beautiful houses. Sinhalese people can't build houses like that. Even if we go to take some medicine [to Batticaloa Hospital], we have to beg them- Pattipola FGD, 28 February, 2019.

Areas with Muslim and Tamil people are being developed. They are laying water pipes. Those pipes are big, but our pipes are small. I have seen the roads that have been built, and canals. We Sinhalese easily forget everything. So

politicians think they can get away with things. Tamil and Muslim politicians are different. They somehow try to do as much as they can for their people - Gonagala FGD, 28 February, 2019.

The government acts in a biased manner towards the Tamils. When the Muslims and Sinhalese illegally fish in the lagoon, the government does not do anything, but if the Tamils were to do the same they will usually arrest them or ask them to pay some sort of penalty. There have been incidents where the Muslims have been arrested, and while on the way to the courts, Rishad Badhurdheen comes and gets them released. Muslim politicians are offered, and hold ministerial positions in the government unlike the Tamil parliamentarians. Tamil MPs don't take ministerial positions even if they are offered it. We think the government does support the Muslims more than the Tamils - Pulliamunai FGD, 29 March, 2019.

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Such comments were at times inaccurate or misrepresented the situation but amidst high levels of frustration few people were able to realise this.

“ Nationally and internationally, no one talks about what happened to us (Sinhalese). Every day on TV, you see women protesting in Trinco and Vavuniya. But you do not see Sinhalese women, in these areas we have no inclination to protest. Instead they give alms to remember the dead - Halmillawatiya FGD, 3 October, 2019.

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As this quote indicates, the sense of grievance prevents accurate interpretation of the situation, in this case that those protesting in Vavuniya and Trincomalee were over disappearances where no death had taken place to mourn.

This research did not adopt any quantitative methodology and is unable to make a substantive comparison between the actual and perceived. Compensation for victims of conflict-related violations was, for example, ad-hoc and not provided in a structured manner (see box 1). Much depended on the local authorities' knowledge of the procedures and policies in place and how these were communicated to victims. Access to justice was also experienced differently by each of the ethnic groups, Sinhalese families of disappeared did not all receive the justice they were seeking (answers to where their loved ones were). What was notable however was that Tamils had very little access to justice, in some cases fearing to approach security authorities to report crimes and when they did they were either; not lodged, told to report it to the LTTE, lodged in Sinhalese, which they were unable to understand, or lodged inaccurately where for instance the state was not held responsible.

“ They will come once and ask, but since we are Tamils they won't follow up after that. - Soruwil FGD, 26 February, 2019.

”

Box 1: Examples from focus groups of compensation received

AHAMEDPURA

Most, but not all, who lost their families in the 1992 attack received Rs. 15,000/=, 25,000/=, and 50,000/= depending on the age of those killed. After the 1992 attack those who were shop-owners were given bicycles and scales. No money was given to them.

The villagers lodged police entries for the abductions and the looting. Respondents said that the police “came, saw and went: what can they do?”

One of the youth respondents said that the village received housing under schemes as a result of the LTTE attack. But the other respondents said that not all have received such support.

The respondents said that they had seen the LTTE, but never asked them for any recourse.

ETHUGALA

The villagers lodged entries with the police with regard to the missing persons. The police tried looking for these people, but after some time they gave death certificates and compensation of Rs.15 000 each.

For those who were killed, compensations of Rs. 5000, Rs.10 000 or Rs.15 000 were given, based on the age of the deceased. This compensation was intended to cover the cost of the funerals.

Respondents have never approached the LTTE for any recourse or justice; “We have never seen them”.

SORUVIL

Not all respondents had lodged police complaints. The respondents said that they were unable to go to the police stations during the war due to the violence. Respondents also expressed mistrust in the police.

Some, but not all, of the respondents had received Rs. 25 000 from the government as compensation for missing persons. Death certificates have not been given to all affected families.

Respondents stated that an organization came promising houses for families of the disappeared but nothing happened thereafter. “In the East they have built houses, but nothing here.” “Here we have nothing, we have to earn our daily bread.”

One person stated that the Red Cross had provided some support to the village, such as providing tables for a local pre-school, and other things that were needed for the temple.

“ My husband died, my younger brothers died, in total 6 people from my family died. We got Rs. 25 000 as compensation for the small-ones [young men] that died.

One year later we got the death certificate. We became helpless, there was no one to rid us from this situation. No one checked on us, there was no help.

Some organizations came and took information. We don't know what happened to the information. We haven't received any assistance.

We did not get angry. Those days all we felt was pain. We could not think far, we didn't have a life like this then. We were extremely helpless. We didn't even have the mental state to make any demands. – FGD Panama West, 29 March, 2019.



Because the neglect, marginalisation and exclusion experienced by these groups is historic and systematic, it manifested in either a **strong level of frustration and anger or in apathy** and disengagement. As a result, many people were either **challenging or dismissive of post-war reforms**; this is not helped by decades of unsuccessful attempts at redress. The research found that hardly any public outreach work had been done by the government or NGOs on transitional justice and very limited work existed on reconciliation and peace building.

Justice had multiple meanings for those interviewed.³¹ For some, it meant equity or was associated with economic measures such as housing, income generation. Where this was gained then a sense of justice was felt. For many it was to do with safety and security; which meant that Sinhalese felt that they had achieved some justice but not Tamils and Muslims.

In the context of neglect and marginalisation, villagers in the border areas felt that these reforms were not a priority (because their everyday needs remained unmet) or that they would not be considered for them (as they have been historically marginalised) making them uninterested in these processes. All three communities had no faith in the state's ability to provide any sense of justice. These positions have serious policy implications considering that this is a large group of people, spanning all three major ethnic groups, who have suffered serious violations and/or war time atrocities.

There was also an **omnipresent sense of powerless** felt amongst all three groups which was largely due to their geographical location being rural and cut off from their larger communities. This was closely connected with the experience of neglect and exclusion and many felt that they lacked the strength to demand more from their politicians. This was most acutely felt by Tamils who did not speak of the TNA as their representatives or refer to having any influential backing from political or religious actors. They separated their position from northern Tamils who, though treated similarly by the government, were nevertheless influential in their locality where they held the majority. Sinhalese Buddhists distrusted and did not rely upon their politicians but monks were considered powerful and influential allies. Muslims did not speak of their political or religious leaders as being influential but they were seen by the other two communities as meting out preferential treatment to Muslims.

All ethnic and religious communities remain vehement in their anger and frustration at the continuing political neglect and marginalisation of their areas and their communities. This feeling needs to be differentiated from regular public disenchantment with government and understood in the specific context of abject economic deprivation, increased levels of poverty and associated social issues that have been experienced for some years in these areas. There was an overall **high level of distrust of the government**. Some Sinhalese felt the previous President and his government had done much more for their people and should be returned to power. Many Muslims and some Tamils felt that this government was better than the previous one, but that did not necessarily result in higher levels of trust and confidence. The mistrust was widespread and acute, and combined with the sense of

31 The research team used the Sinhalese term *yukthiya* and Tamil term *niti* and left it to the interviewee to interpret them.

powerlessness identified earlier, puts most of the interviewees as being at the very edge; tilting towards either suggestions of anarchy or apathy. Both factors, in the context of the fragile ethnic/religious relations, could pose a level of threat, tension and conflict to the locality. These feelings of anger and frustration felt by all three groups must not be undermined or ignored by Sri Lanka's political elite as they have the potential to fester and damage stability.

Identity, both ethnic and religious, was critically important to all three groups but was not always presented as such. Even though their locality was a fundamental factor behind their discrimination, the village, possibly because it was a contested space, was also integral to their identity. A number of people explained how they would identify with their village and there were clearly close associations between land, livelihood, religious place of worship and identity. Even though these forms of identity were critically important to people in the 'border villages' there was not a matching level of 'othering' across all communities. The exception to this was the notable anti-Muslim sentiment that was compelling amongst some Sinhalese groups and a few Tamil ones. The racist anti-Muslim campaigns on social media were widely believed and acted upon and there was no reflection amongst those interviewed on the impact it would have on Muslims.

“ *The news about Muslims trying to cause infertility among Sinhalese women started here in Ampara; we think it's true. These days it's not talked about. Here the doctors are also Muslim. Anyway, we don't go to Muslim shops, we only go to the Hospital. We are mostly home - Gonagala FGD, 28 February, 2019.* ”

The **national mainstream electronic media**, particularly popular TV stations such as Hiru and Dherana, and social media were clearly playing a role in influencing and prejudicing people along ethnic lines. When questioned interviewees referred to the media and social media as the sources of racist and prejudicial campaigns and they were also misinformed by the media over sensitive events such as the anti-Muslim attacks in Digana and events in the north of Sri Lanka. A number of Sinhalese interviewees also believed that the possibility of returning to armed conflict with the Tamils remained based on exaggerated and inaccurate media reports from the north that would, for example, portray a protest as a militant act. Peace for Sinhalese was crucially linked to security and measures such as continuing militarisation of minority areas or limited autonomy for Tamils was justified if it was seen to guarantee security.

“ *There is AVA group. There are bombs. We don't need another war. There are influences from the UN on war crimes. We saw on the news that the UN had said that the government should apologise to those who have committed terrible crimes. Because of these things, I fear another war may come, - Yakawewa FGD, 3 October, 2019.* ”

Even though tension and division were evident between all three communities, there was **no indication of a return to conflict or a new one emerging**. However, these divisions and previously identified sense of anger and frustration, in the isolated, marginalised context of these localities, could lead to small-scale conflicts and could undoubtedly be mobilised for mob attacks and ethnic violence. More importantly, because of the unique geography of these areas where ethnic/religious groups live side by side, any manipulation of feelings or sentiments by racist political groups could have serious and immediate repercussions. It is for this reason that the report calls for the urgent prioritisation of co-existence, reconciliation and peace building programmes in these areas.

Despite this prejudice, there was also a distinct and powerful ability to separate the group from their representatives who perpetrated violence and violations, particularly in reference to the conflict period. The groups' identity was not intrinsically linked to the perpetrator even though the victim group had been in fact targeted for their own identity; Muslims and Sinhalese were specifically targeted by the LTTE because of their ethnicity, and Tamils and at times Muslims were targeted by the military for the same reasons. This delinking of the ethnic/religious group from the perpetrator despite shared identity and support has taken place because, unlike other parts of the country, in the 'border villages' all communities have been victims of the war and have lived alongside each other for decades. This **shared victimhood**, though at times competitive, has enabled most people to have **increased empathy and understanding of the other**. Since the end of the war, the close proximity of the groups has forced a sense of contact and co-existence through sharing of resources, trade, transport etc. which has also contributed to de-othering and differentiating civilians from perpetrator. This factor, no doubt, augers well for reconciliation not just in these areas but nationally.

“ We lived there. Tamil people faced injustices in government offices. They were harassed. Even now in government offices there are no translations. You can see the roads there are still broke. Until Konagasgoda, you have the carpet road and there after the road is broken. Settikulam road is still broken in Vavuniya district. If there was no discrimination how is it possible that all the roads here are carpeted and roads in those areas are not? ”

Sinhalese people don't understand this. Not even 5% understands. Citizens need to have equality - Meda Oya Maduwa FGD, 3 October, 2019.

Tamil widows suffer more than Sinhalese widows. Sinhalese widows at least have the pension. But Tamil women, they have handed over their husbands and children to the army and they never came back. How painful is that? - Project Officer for a community-based organisation in Kebithigollawa, 3 October, 2018. ”

Cognisant of this unusual level of empathy and understanding, the 'border villages' also present a useful area to focus co-existence, inter-faith reconciliation and peace efforts. Some civil society projects have already borne results but much more is needed, especially as ethnic/religious divisions are widening, fuelled by politicians, monks and social media. Priorities here include, though are not limited to, challenging dominant ethno-nationalist narratives of the conflict, raising awareness of the effects of war on all, and, through education and trade, strengthening co-existence. There are a number of empowered community leaders and activists who have previously worked on these areas and continue to do so with very limited international and national donor support. We propose that the work of these activists is strengthened and supported through networks which have equal ethnic representation, to work with the state to implement the wide range of recommendations made in this report.

Case study: Activism on reconciliation

Interview with Head Priest of Pullamalai Temple, Ven. Tampitiye Gnanananda thero.

I was born here in Tampitiya. I was in this temple when the war started.

War became severe in 1984-85. That's when the relationship between communities became distant. The war destroyed many things. Tamil people in Periya Pullumalai went further inward. Sinhalese people left. I was here. The LTTE had a death warrant on me.

During the war I went to the Tampitiya temple.

There were houses, shops, and paddy fields in this area. Everything was destroyed. 60 Sinhalese people died in Tampitiya.

In the 1980s, the court of the LTTE sentenced me to life. In the beginning, they didn't kill everyone. They had cases in the courts and a procedure. I was informed to leave the area within 14 days. I lived for about 6 months before leaving. The LTTE was suspicious of the Sinhalese people who remained in the area and wanted to get rid of them. The LTTE didn't fight a war to win the hearts of the people. Though the LTTE fought, they do not represent the Tamil people in general.

After the war Tamil people who used to live here returned, but not the Sinhalese. When Sinhalese people don't come back to these areas, we cannot build reconciliation. If they come back, automatically there will be reconciliation. Tamil community supports this temple. But I also like the Sinhalese families to return, they can support the temple, give alms etc. There is no point having a place of worship with no people to worship. I want this temple to become a centre for reconciliation. The war destroyed the economy. Even the (Tamil) people who came back live in sheer poverty till today.

The media portrays monks as those who want to create a division. Some monks also feed this idea. There is no mechanism in place to educate monks. There is pirivena education, yes, but... Buddhism is inclusive. It's about doing good to all. This idea is lost now.

After the war ended, we created a network called Collective for Reconciliation. Aid was given to people here. If we help Sinhalese people, that's seen as a good thing. If we help Tamil people, we are seen as a terrorists.

After the war there emerged a hatred between the two communities- Sinhalese and Tamil. LTTE is often called Tamil and vice versa. But we can't live with hate. If you can speak the language (of the other community) these problems would not have been there.

So many crimes were committed in these areas. I sometimes want to write it down, but then I wonder if that will create more problems. I hope the memory dies with us.

The government believes that the war was a result of uneven resource distribution. This is the position taken by TNA. But in my experience, what I feel is that Tamil people need something that goes beyond mere resource distribution. They need the love of the Sinhalese and to be treated with dignity, like equals. Sinhalese people always try to discriminate and exclude the Tamil people. That is not right.

To this date, there is a division. This division was created by political parties.

I had a sermon for the Army before their final battle in the north. When I went there, I saw the LTTE cemetery being flattened to the ground. I understand that these memorials help spread animosity and but then what about Aranthalawa? If the LTTE graves can't remain, our graves also should not be. There is a huge problem with attitudes.

When the army went they needed a place to worship and they built temples. Once you plant a bo-tree you can't move it. They shouldn't have done that. Short term thinking leads to these problems. When there are new temples set up in Tamil areas, problems start. We can't take private land. At the same time, we can't bring people from other areas and settle them in state land. This conduct leads to many administrative issues in the future.

06 CONCLUSION

Sri Lanka is currently at a crossroads. This year marks a decade since the end of the armed conflict yet 'victims' from all three ethnic groups are still searching for truth, justice and accountability. Despite lofty promises of post-war transitional justice, constitutional reform and good governance, progress is miniscule. Security, which purportedly has been the country's biggest achievement since the end of the war, is now under serious threat following the Easter Sunday bombings. The government's response to the most recent anti-Muslim violence (June, 2019) has proved that impunity for perpetrators of human rights violations remains and justice and accountability are absent. While the problems and issues related to ethnicity that caused the war remain unresolved, new conflict fault lines based on religion are rising. Tamil grievances that led to three decades of war remain. Attacks against Muslims breed new resentments.

While ethnic/religious fissures widen, the government remains deeply divided and dysfunctional. This is an election year and parties are more interested in politicking than responding to national issues.

In this turbulent context, this report on the 'border villages' of Sri Lanka offers important insights into understanding old issues and finding ways forward. The implications of state and non-state actor neglect are felt acutely in these areas and could lead to anarchy or apathy, both of which are damaging to the country. There is a lesson here for national and international actors that extends beyond this geographic locality.

Secondly, this research shows clearly the effects of justice delayed and justice denied and the importance of justice and accountability are highlighted in this case not only by the continuing demands of minorities but also by the greater ability of Sinhalese to move on, because they see the defeat of the LTTE as a form of justice. The lack of formal, organised and structured transitional justice, peace building and reconciliation programmes in these areas is telling and explains the lack of political commitment and the failure of turning them into a national project.

Thirdly, the research presents the experiences and consequences of being a minority in Sri Lanka, in this case also felt by Sinhalese. It shows the immense vulnerability, neglect, marginalisation and discrimination and the potential this has to cause further divisions. Therein also lies the greatest strength in the findings of this research; the evidence of communities' ability through common 'victimhood' to transcend the association of the ethnic/religious 'other' from the perpetrator and reach out to understand their suffering and grievances. In this ability to understand, empathise and feel for the 'other' lies tremendous hope for reconciliation and peace in Sri Lanka.

07

RECOMMENDATIONS

To the Government of Sri Lanka:

- 1) Immediately re-commit to the post-war reform process, including those agreed upon in UNHRCR 30/1 and the constitutional reform process and present a comprehensive plan and time line for implementing them. The new policy position on post-war justice must be in line with the Consultation Task Force (CTF) report. This new policy position must recognise the unique issues faced in the 'border villages' and guarantee their inclusion in all future post-war reform processes.
- 2) Appoint a high-level committee with equal ethnic/religious representation, consisting of at least one senior government bureaucrat and one civil society representative from the border areas, to work together with local civil society networks to conduct a series of community level consultations, investigate more deeply issues raised in this and previous reports and take measures within a specific time frame to implement the following:
 - A) Recognise the specific nature of problems in the 'border' areas, where populations are divided between different administrative units, identify what these issues are, act as a liaising unit between different government departments/divisional authorities to resolve problems with no prejudice to minority groups.
 - B) On co-existence, reconciliation and peace building:
 - i) Noting the unique vulnerability of these communities devise, fund and implement specific strategy and programmes to strengthen co-existence in these areas, including through arranging exchange programmes, inter-ethnic youth committees, encouraging inter-ethnic/religious narratives of the conflict in schools and community centres.
 - ii) Implement a pilot programme to run dual-language schools in select areas where Sinhala and Tamil language, at the same level, are taught to all students and they can select their preferred language for the rest of the curriculum. Adequately fund and ensure sustainability of these schools.
 - iii) Take measures to ensure that all police stations and important government offices are multilingual.
 - C) On economic development:
 - i) Ensure that any economic programmes utilising the land and/or natural resources in the border areas are conducted only with prior, informed consent from the local population and that representatives of the community are involved in the design and implementations of such programmes.
 - ii) Identify at least three income generation opportunities in each district and work with the relevant government ministries to develop these programmes ensuring women heads of households benefit from them and taking all necessary measures to ensure their long-term sustainability.

- iii) Develop market places in specific localities and support all local communities to trade in them.
 - iv) Provide incentives for private sector companies to open up factories and recruit local people with understanding of their war-time physical and psychological difficulties and respect worker rights; and provide necessary skills development training to enable people from the area to be recruited.
 - v) Together with the Ministry of Agriculture and the Paddy Cultivation Board provide incentives to farmers, and take measures to disband the rice Mafia and strengthen small paddy farmers, determine a fair market rate and minimise the role of middle-men.
 - vi) Implement programmes across the border areas to increase awareness of laws, regulations and procedures protecting migrant workers. Encourage law enforcement authorities to investigate and prosecute, where necessary, illegal employment agencies.
 - vii) Evaluate economic development and income generation programmes run by the CSD and military and consider ways in which these can be restored to the community.
- D) On education:
- i) In recognition of the specific size of border villages, make special provisions for schooling such as opening schools in areas even where there are smaller numbers of children, identify standards and facilities available in national schools and take measures to improve these with immediate effect.
 - ii) Increase the number of qualified teachers in schools in the area.
 - iii) Conduct skills development courses and training for youth to make them more employable.
 - iv) Noting the specific problem of child marriages, conduct rights awareness and sex education programmes for young people.
- E) On CKD:
- i) Conduct, if necessary with international expertise, a full scientific investigation into the causes of CKD.
 - ii) Carry out large-scale purification of ground water sources, regulate the use/overuse of more harmful chemicals and pesticides until the causes of CKD are known, support small farmers to return to traditional/organic methods and the use of indigenous seeds.
 - ii) Provide clean drinking water.
 - iii) Cover transport and extra medical costs (medication) of villagers with kidney disease, carry out mobile clinics, equip the main hospitals with better facilities and specialist doctors to deal with patients who have kidney related illnesses.
- F) Ensure that the specific issues affecting women are identified and dealt with and that they are included in all of the proposed projects and policies.
- G) Work with civil society and religious leaders to better understand issues around child marriage and family break ups and develop gender sensitive policies and programmes to deal with these. These programmes must include sex education, good quality counselling services and provide young people with more social, educational activities and employment.

- H) Ensure that civilian land seizures and acquisition by the state and private entities ends immediately; take strong action, including prosecuting where necessary, the illegal seizure of lands; coordinate between the various government ministries and departments currently involved in land disputes to ensure return of civilian lands and guarantee of land rights and work with Office of Reparations, other state institutions and civil society to develop and implement a land rights policy that ensures land rights of civilians are guaranteed to the fullest.

To the Office of Missing Persons:

Conduct hearings in border areas not previously visited and provide an interim report of their findings within the next year.

To the Office of Reparations:

- i. Present a policy paper defining reparations and who constitutes a victim, ensure that such policy is in line with international norms, in the least, the Basic Principles and Guidelines on the Right to Remedy, adopted by the UN General Assembly, Resolution 60/147.
- ii. Considering victim fatigue in these areas, use existing information as a first point of investigation to find out the nature of violations faced and due to the unsystematic manner in which compensation has been provided to victims of the armed conflict disregard previous compensation schemes.
- iii. Consult with local community networks and where possible victim groups to further determine the nature of violations and the long-term effect of violations on individuals and dependents.
- iv. As part of restitution: consider measures that can be adopted to restore community relations and links as per prior to the ethnic divisions and distrust caused by the armed conflict; implement projects where groups can work together to rebuild trust; support the return of people to their original lands and enable them to cultivate in them;
- v. As part of compensation: in addition to the nature and extent of the violations consider multiple violations and the extended period of time during which the 'border villages' were affected by violations; consider economic, social, psychological costs and opportunity costs of violations suffered.
- vi. As part of rehabilitation: provide medical and social care to physically and mentally impaired victims, including transport costs to medical centres and/or mobile clinics; provide psycho-social support through trauma counselling and other group therapies in line with recommendations made in the CTF report. Ensure that measures apply to all, including all militant groups without prejudice.
- vii. As part of satisfaction: in consultation with local communities provide for memorialisation of specific events and individuals; enable communities to conduct commemorative ceremonies; ensure accounts of violations suffered by all ethnic/religious groups are included in national narratives of the armed conflict and accounted for if and when a formal state level apology is made for violations and atrocities.
- viii. As part of non-repetition: reform education system to include multiple historical and conflict narratives, increase awareness of causes of the conflict and support recommendations made in 1 A above.
- ix. Ensure that all of the measures taken by the office are done without discrimination to any ethnic group.

To the UN, international donors and international and local NGOs:

1. Ensure that existing aid and donor programmes cover the 'border villages' and that funding and other forms of assistance reach these areas.
2. Support and, where possible, fund the creation, maintenance and sustenance of activist networks in the border areas to work together with the government on the above recommendations.
3. Work with, encourage, fund where necessary, and support the government to implement all of the above recommendations.
4. Where gaps exist support and fund specific research in the border area, with acknowledgement of the fatigue in giving information on already researched topics.
5. National NGOs design and implement programmes in partnership with activist networks and community-based organisations from all ethnic communities with a focus on reconciliation, co-existence and peace activities recommended in I A above.
6. Support and fund safe civil society led spaces for the presentation and analysis of alternative historical and conflict narratives; promote and support educational and exchange programmes for young people and victim groups.
7. Encourage and support programmes for women and youth empowerment in the border areas.

Annex 1

Current village	Original Village	How did they get their land	Displacement	Issues
Conagala Sinhala Buddhist	Conagala	The village was established as a settlement in 1956	In 1999 as the war intensified, the villagers were displaced to neighbouring schools and forests. Many villagers killed by the LTTE during 1999.	Lack of development (lack of hospitals in close proximity, lack of proper public transport, lack of job opportunities). Human-elephant conflict. Debt due to loans.
Pattipola	Originally from this village, originally from Ampara and Biyangoda.	One response noted that the respondent cleared the forest and settled; several alluded to the monk helping them to settle in the area. ??	Displaced in 1990s	Lack of proper housing, schools, and economic wellbeing.
Mangalagama Sinhala	Welimada *There were 3 respondents in this FGD and this is the response of only one respondent.	D. S. Senanayake scheme in 1957 said one of the respondents while another said that the people cleared the lands and settled there.	Displaced in 1995 following a terrorist attack	Lack of Sinhalese officers in government departments. Villagers have to travel many miles to access necessary services, and they lack public transport. Lack of access to water.
Periya Pullamalai Tamil (there used to be Sinhalese who lived here prior to 1984/85)	Tampitiya		The villagers were displaced in 1984/1985 due to the war	Poverty. Even though the Tamils have returned after the war, the Sinhalese have not and are selling their lands.
Bakmityawa Sinhala Buddhist	Some respondents had moved here after marriage. Others are originally from this village.	Ancestral lands, and people moved here during the rebellion in Wellassa.		Several villagers are missing, and several killed by the LTTE. Poor condition of the roads accessing the village.
Padawiya & Wilachchiya			Villagers were displaced due to the war	Social problems Debt
Halmillawatiya Sinhala Buddhist	Conameriyawa, Wihara Halmillawa, Kalugahawewa (villages surrounding Halmillawatiya)		Displaced from 1996-1998, and 2006-2008	Issues related to women's ownership over land. Economic hardships. Drug use among school children. Lack of access to water.

Yaka Wewa, Kebithigollawa Sinhala Buddhist	Yaka Wewa	Some of the respondents came to the village after marriage, others are originally from this village.	Displaced from 1995-1998 and in 2006	Villagers have no deeds for their lands. Economic hardships. Lack of job opportunities
Mahawilachchiya Sinhala Buddhist	Villagers are originally from Mahawilachchiya. There are some who have moved here after their marriage.	Village was made a settlement in the 1950s. Several respondents referred to the village as a "colony".		There are cases of missing persons during the war. Drought and water related problems. Lack of proper teachers in the village school. The village school is expected to close down in the near future. Drug abuse among school children.
Meda Oya Maduwa Majority of Sinhala Buddhist respondents and 2 Tamil respondents.	Meda Oya Maduwa; Pavakkulam, Vavuniya	Those originally from Pavakkulam were displaced to this village, and settled on their own.		Kidney diseases due to consuming brackish water. No access to Samurdhi.
Padiggama, Madawachchiya Sinhalese (supposedly from the indigenous community but no longer identify that way)	The village has been in existence for several centuries.		Displaced in 1978 for 6 months due to the violence with the LTTE	
Mottuvaram (Sinhalese settlers)	Negombo (claimed by some of the Sinhalese respondents, and also was mentioned by the Tamil fishing community we met in Pulliyamunai)	The Sinhalese settlers claim that they have historically lived and worked in Mottuvaram. The Tamils in Pulliyamunai however stated that the Sinhalese fishermen migrated for 4-6 months during the fishing season and would return to Negombo thereafter.	The villagers were displaced several times: in 1958 when the Tamils set fire to their houses and vehicles, in 1977 because of tensions with the Tamils, in 1983 due to conflict with the LTTE	They do not have permits or any documentation for the land.
Uppural Tamil (it was said to be an indigenous community but respondents denied the claim)	Uppural (closer to the sea)	Villagers have been living in Uppural for several generations. They have deeds and documentation for the lands near the sea, it was unclear whether they have documentation for the lands they currently live on.	The villagers originally lived closer to the sea, and moved further inland after the tsunami. Displaced in 2007 due to the war.	Several female headed households face poverty and stigma from the society. Lack of schools and hospitals in close proximity to the village, and lack of public transport. There are several cases of missing persons which have not yet been solved.

Sampur Tamil	Sampur	Generational homeland	Displaced in 2006 due to the conflict, and were displaced for nearly 10 years	The lands of the villagers were gazetted for an Indian company by the government. Even though the land has been released the gazette has not been cancelled. Some land is still occupied by the state. Navy occupation of land near the sea. Respondents lack documentation for their lands as they lost it due to displacement. Government officers handle issues in a discriminatory manner. Severely affected due including many cases of missing persons, killing of many people, disabilities due to war, economic hardships, and lack of development
Dalukana Adivasi but now identify as Sinhala Buddhist	There were about 50 families prior to the 1950s, and thereafter increased due to settlers from Matara, Kuliyaipitiya, Warakapola, Melsiripura	Some were brought under the Mahaweli colonisation scheme		Lack of employment
Welikanda Sinhala Buddhist	Badulla, Kendaketiya, Ratnapura, Dehiovita, Hambantota	Mahaweli colonisation scheme		Economic hardship especially for widows. Issues caused by elephants. Losses faced by those in the rice industry due to the monopoly by Dudley Sirisena. Lack of infrastructure and public transport. Issues in hospitals.
Karapola Tamil	Karapola proximity	Mahaweli scheme	1992 Valachennai operation and subsequently forcibly resettled by military	Part of their original village claimed by Wildlife department
Panama West Tamil and Sinhala	Panama East		Through presence of LTTE but returned after military camp was set up nearby	

Kumana village Sinhala	Kumana			Forced to move by STF due to LTTE threats, though they claim LTTE did not harm them.	Given ½ acre by government but no paddy land. Wildlife department has taken over original land. Bo tree is in original land but temple is here.
Thamatiyawela - Lahugala Sinhalese now, previously had Tamils	Bogaslanda			Few incidents of families being hacked to death by LTTE left in batches through a period of time. Claims that Tamils in their village and nearby village were treated badly by military and STF forcibly moved some of them.	
Ethugala Muslims	Alinjupathaana - due to flooding in 1978 -Muththukkal 1984	Muththukkal settled under Mahaweli scheme		1992 LTTE attack on the village displaced to Kathuruvela A few years later moved to present village Mahaweli scheme given ½ acre of land 2.5 acre paddy land	
Pangurana Muslim	Pangurana			Village was attacked in 1992 by LTTE and they were displaced to Sungavil and Thambala. Some villages intermittently returned others who did not have land made their homes in Sungavil and Thambala.	Elephant encroachment and lack of income generation opportunities as agriculture land limited. Livestock lost to LTTE was never compensated.
Selvanagar Muslim				During conflict frequently displaced to Thoppur and because of 2006 military operations displaced to Kandalai, Seruvala, Kurunegala, and Matale	49 Acres taken over by Archaeology department 1000 acres by Seruvil temple. Small areas taken over by Nelumgalapansala
Ahmadpura Muslims	Paliyagoda	Created after displacement		Paliyagoda attacked in 1992 by LTTE	
Soruwil Tamil	Yakkura			Displaced frequently during the war to Wann, Chettikulam, and Ponduvachennai (Kiran)	

Thennamaravadi Tamil	Same		In 1984 displaced to Jaffna, Mullaitivu and Trincomalee. Some were in Mullivaikkal during last stages of the war. Returned in 2010.	
Pulliyamunai	Mukaththuvaram	Displaced in 1977	In 1984 as tensions rose between Tamils and Sinhalese they were displaced to Mullaitivu, some returned to their village but in 1990 renewed violence displace them again	Mukaththuvaram Has an army camp so they can't return there. Sinhalese settlements there and through fishing permits as much as 400 families have settled.
Nallur and Neenakkeni Tamil	Malaimunthal	Displaced by Tsunami	Displaced again to Batticaloa during 2006 operation returned after war ended	
Ariammenkeni	Kiluvaddi	Settled in the 1970s under a settlement scheme	Displaced multiple times to	China Bay, Sampur, Verukal, Batticaloa, Kilivitty, and Trincomalee

Date	Nature	Venue
02.10.2018	KII	Anuradhapura Town
	KII	RajarataGamiShakthiNirmanakawaya
03.10.2018	KII	Kebithigollawa Integrated Rural Development Organisation
	FGD	Praja Sewa Sanwardhana Samithiya (Community Service Development Association)
	FGD	Residence of the respondents
	FGD	Residence of the respondent
04.10.2018	FGD	Purana Sri Saliya Raja Maha Viharaya, Wilachchiya.
	FGD	Sri Sudarshanarama Viharaya
	FGD	Meda Oya Maduwa Community Hall
	FGD	Meda Oya Maduwa Community Hall
	KII	Residence of the respondent
	FGD	Residence of the respondent

BATTICALOA DISTRICT

The field visits were from 28th February to 2nd March covering the Batticaloa district. We conducted 7 key informant interviews (with 9 persons; 2 females and 7 males) and 6 Focus Group Discussions during this period. Details of the interviews conducted are as follows. 25 females and 16 males were interviewed in total.

Date	Nature	Venue	Area	Respondent/s
28.02.2019	FGD	Samudhi Officer's Office	Gonagala	8 women from the village (8 female)
	KII	Vehicle	Mangalagama	Driver (1 male)
	KII	Abhinarama Temple	Pattipola	Head priest (1 male)
	FGD	Abhinarama Temple	Pattipola	5 women leaders of the village (5 female)
	FGD	Sri Mangalarama Viharaya	Mangalagama	Head priest, a people representative to the local government, and villager (3 male)
01.03.2019	FGD	Residence of the respondents	Periya Pullumalai	8 respondents from the family and neighbours (4 female, 4 male)
	KII	Temple	Pullumalai	Head priest (1 male)
	KII	Residence of the respondents	Tampitiya	Chair of women's society and her husband (1 female, 1 male)
	KII	Residence of the respondent	Tampitiya	Former principal of the school (1 male)
	FGD	Temple	Poolawala	3 villagers (3 female)
02.03. 2019	KII	Residence of the respondent	Kandawurugama	2 elders (2 male)
	KII	Residence of the respondent	Pollebadda	Young woman from indigenous community (1 female)
	FGD	Residence of the respondent (school teacher)	Bogamuyaya	5 villagers (3 female, 2 male)

POLONNARUWA DISTRICT

The field visits took place from 24th to 26th of February in the Polonnaruwa District. We conducted 3 key informant interviews (with 3 persons; 3 males) and 7 Focus Group Discussions during this period. Detailed list of interviews are as follows. 35 female and 33 males were interviewed in total.

Date	Nature	Venue	Area	Respondent/s
24.02.2019	KII	Residence of the respondent	Hingurakgoda	M.K. Jayatissa – Convenor, Progressive Farmer Organisation (1 male)
	KII	Residence of the respondent	Lankapura	Punchibanda – Grama Sevaka (1 male)
	FGD	Residence of one of the respondents	Wellikanda	Group of women & men farmers (7 female 3 male)
25.02.2019	KII	Manampitiya MV	Manampitiya	S. Radhan Sharma – Tamil school teacher (1 male)
	FGD	Residence of one of the respondents	Karapola	Group of Tamil day wage earning villagers (8 female, 5 male)
	FGD	Residence of one of the respondents	Athugala	Group of Muslim men, including a school Principal (9 male)
26.02.2019	FGD	Residence of one of the respondents	Dalukaana	Group of Adivasi descendants now identifying as Sinhala Buddhist. (3 females, 6 male)
	FGD	Mosque premises	Pangurana	Group of Muslim women. (7 female)
	FGD	Residence of one of the respondents	Ahamedpura	Group of Muslim men, a woman & youth (1 female, 7 male)
	FGD	Residence of one of the respondents	Soruviya	Group of Adivasi descendants, now identifying as Tamil Hindu. (9 female)

TRINCOMALEE / MULLAITIVU DISTRICTS

This field visit took place from 27th to 29th of March in the Trincomalee and Mullaitivu Districts. We conducted 3 key informant interviews (with 3 persons; 3 males) and 8 Focus Group Discussions during this period. A detailed list of interviews is as follows. 87 persons were interviewed in total.

	Nature	Venue	Area	Respondent/s
27.03.19	FGD	Residence of one of the respondents	Ariyammankeni	Group of men and women of Tamil Hindu origin.
	FGD	Residence of one of the respondents	Uppural	Group of men and women, including youth, of Tamil Hindu origin. (Denied being descendants of the Adivasi community.)
	Kii	Office premises	Seruwela	Mr. V. Gunawardena – has lived and worked across the north & east for many decades.
28.03.19	FGD	Community hall	Selvanagar	Group of Muslim men and two women.
	FGD	Residence of one of the respondents	NallurNeenakkeni	A group of women and men, including youth, who identify as descendants of Adivasi.
	FGD	Community hall	Sampur	A group of Tamil women and men, including youth, who of Catholic & Hindu faiths.
29.03.19	Kii	Residence of one of the respondents	Trincomalee town	T. Pushparajah and N. Sanmuganathar
	FGD	Kovil premises	Thennammavadi	Group of Tamil, Hindu women & about two men.
	FGD	Community hall	Pulliyamunai	Group of fishermen & one woman, belonging to Tamil, Christian & Hindu faiths.
	FGD	Church premises	Mottuvaram	Group of Sinhala Catholic men and women. A fisher community.

AMPARA DISTRICT

The field visits took place from 24th to 26th of February in the Ampara District. We conducted 3 key informant interviews (with 3 persons; 3 males) and 7 Focus Group Discussions during this period. Detailed list of interviews are as follows. 35 female and 33 males were interviewed in total.

Date	Nature	Venue	Area	Respondent/s
28.03.2019	FGD	Residence of the respondent	Panama West	6 Sinhala women – husbands have been killed or missing during the conflict
	FGD	Residence of the respondent	Kumana Village	2 men and 4 women, all Sinhala who were displaced from their village in Kumana
	KII	Residence of one of the respondents	Hulannuge West	Former Chairperson of the Farmer's Association
29.03.2019	FGD	Residence of the respondent	Thamatiyawela-Lahugala	5 Sinhala women
	FGD	Residence of one of the respondents	Bakrmitiyaawa	1 man and 4 women

